



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

TUAIRISC OIFIGIÚIL—*Neamhcheartaithe*
(OFFICIAL REPORT—*Unrevised*)

Wednesday, 3 October 2007.

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DÁIL ÉIREANN

*Dé Céadaoin, 3 Deireadh Fómhair 2007.
Wednesday, 3 October 2007.*

Chuaigh an Leas-Cheann Comhairle i gceannas ar 10.30 a.m.

Paidir.

Prayer.

Leaders' Questions.

Deputy Enda Kenny: We have arrived at a stage in this country where whatever this Government states is quite unbelievable, whether on the subject of recent events or in the form of general statements. It is a few years ago since the then Minister for Health and Children, Deputy Cowen, told us that 32,000 people were on the waiting list. In 2002, the then Minister, Deputy Martin, made a specific Government commitment that he would end waiting lists in two years. The current Minister for Health and Children, Deputy Harney, said in May this year that the HSE would find efficiencies that would not impact on patients. This is in the context of the Government giving clawbacks of over €100,000 to people who are able to buy their first house for a price in excess of €1 million. There are now 41,000 persons on the waiting lists of hospitals around the country.

The Minister for Health and Children said on 21 September that no patient would suffer because of cutbacks introduced across the country. I have met consultant after consultant who has told me that patients die at the end of waiting lists because services cannot be provided for them. Patients die, which is a direct contradiction of what the Government has been saying. Every day we hear of more and more of these cutbacks in various locations around the country such as 30 nurses and four consultants sacked from Sligo General Hospital; dental services for children in Inchicore and Bluebell cancelled; the 24-hour accident and emergency service at the Mid-Western Regional Hospital in Ennis ended; breast cancer services at 13 hospitals closed and no other service put in their place; the 24-hour bed unit for the rehabilitation of elderly patients at Merlin Park closed, with another to follow; and the cancellation of essential suicide prevention training in the form of applied suicide prevention skills. One can go into any community in this country and see what is happening.

In recent days we have learned that Monaghan General Hospital will be stripped of further services and will have to suffer the removal of another ward despite recent expenditure. The Midland Regional Hospital in Mullingar is to cut medical day cases by 55 per month. In South Tipperary General Hospital in Clonmel, an operating theatre and six surgical inpatient beds will be lost.

The Government stated clearly this month that no patient would suffer because of cutbacks. Meanwhile, Ministers sit in this House and act as if they had no responsibility in the matter, as if the HSE made its decisions at a remove from Government. I remind the Taoiseach that hospital consultants have told me, face to face, that people are dying at the end of waiting lists because they are not able to get a service which we should provide for them. Is the Taoiseach telling me that he is spending €15 billion on a world class health service? The Government is unbelievable in everything it states, from the Taoiseach to his Ministers. Can the Taoiseach say how the 41,000 patients on waiting lists can have any confidence in what they hear coming out of the mouths of Ministers of this Government?

Deputies: Hear, hear.

The Taoiseach: I will tell Deputy Kenny some of the facts about the health service and answer some of his questions.

Deputy Eamon Gilmore: Tell him about Beaumont Hospital.

Deputy Billy Timmins: Has the Taoiseach been in Beaumont Hospital recently? It is not a centre of excellence.

The Taoiseach: Some 120,000 people work in the health service as of this morning.

Deputy Billy Timmins: The Taoiseach should check his statistics.

The Taoiseach: If Fine Gael Members do not want to listen, there is no point in me saying anything.

(Interruptions).

An Ceann Comhairle: The Taoiseach must be allowed to reply to Deputy Kenny's question.

The Taoiseach: If the Deputy wants to come to the House and criticise everything in the health service then so be it, but I will give him some of the facts of the situation. As I said, 120,000 work in the health service and they deal with 100,000 patients per month. Both the adult and children's waiting lists, as produced by the HSE, are at record lows right across the system. Some 100,000 inpatient and daycare procedures are carried out in public hospitals every month — in excess of 1

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million annually. Even if 41,000 is the figure — as I said yesterday, I do not know if it is — it is comparatively low against the figures from last year, three years ago, five years ago or ten years ago. It is a much smaller proportion of the total figure.

There will always be people on waiting lists. The National Treatment Purchase Fund, which issued a report recently, states there has been a consistent pattern of reducing surgical waiting lists throughout the public hospital system over recent years. The report points out that, for most common procedures, adults and children now wait between two and five months, compared to between two and five years some five years ago.

Deputy Brian Hayes: Who was the Minister five years ago?

Deputy Pádraic McCormack: The Taoiseach is great with figures.

The Taoiseach: That is a simple fact according to the people who deal with the issue. If Deputy Kenny wants to say that the people dealing with the issue know nothing, while he knows everything, that is fine.

The National Treatment Purchase Fund has stated there is no need for anyone to wait more than three months for an operation and that it is unacceptable that they should do so. If people in such a situation contact the National Treatment Purchase Fund, its members will be only too glad to deal with them. As I said yesterday, some hospitals are not co-operating fully with the fund but the HSE is dealing with that issue.

On Deputy Kenny's second point, it is a fact that the HSE exceeded its allocated Vote of €14 billion by €222 million. The health service's Vote is €15 billion and the HSE gets €14 billion of that amount. At the end of August, its Accounting Officer stated that it was €220 million over budget and that it had to take corrective measures to put itself back into line, like any other agency or department. It has designated a number of areas where this has to take effect. I am not here to manage every one of those. The HSE knows its allocation. In fairness to Deputy Kenny, I do not believe he is saying the HSE should ignore the budget it agreed to last January, that it should not manage within that. That is what it must do. It has a very large capital programme this year and it got a further increase in staff numbers. It must now pull back on staff numbers at the end of the year.

Deputy James Reilly: They are management staff.

The Taoiseach: They are not management staff. The case in Cavan that Deputy Kenny mentioned arose because a consultant was on holidays and no locum has been put in. The HSE must

manage within its budget and these are some of the effects of that.

Deputy Brian Hayes: There will soon be no full-time staff to manage patient care.

The Taoiseach: Not very many years ago legislation was introduced by Fine Gael, which I supported, so there is no criticism of that, under which health boards could not exceed their allocation and must manage within that.

Deputy Pádraic McCormack: What did the Government do before the election?

The Taoiseach: Deputy McCormack is not the leader of Fine Gael.

Deputy Pádraic McCormack: I was only asking.

The Taoiseach: The HSE must get itself into line by the end of the year. There is no alternative to that. It accepts it has an obligation to do it. This time last year the HSE had underspent and there was a race to spend the money it had in the last few months of the year. I was criticised because its capital programme was not spent. This year it has its management together——

Deputy Brian Hayes: Some management.

Deputy Michael Ring: It is like the Irish rugby team.

The Taoiseach: It has got its systems and structures together. It has spent its capital programme and it is on target with regard to its capital programme. It is not in the same position as it was last year. Deputy Kenny's allegation that the HSE is not providing a top quality service in most areas of health is untrue. UCD did a very large and comprehensive survey of the health service, taking in more than 3,500 people. Rather than myths about it, it showed what the people who use the health service think of it. The Deputies opposite should factor that in rather than jumping up to complain because somebody has found out he or she cannot order a chair or a table out of a budget of €15 billion.

Deputy Enda Kenny: The message from the Government is that one should not get sick in this country.

Deputy Michael D. Higgins: Hear, hear.

Deputy Enda Kenny: It is unfair of the Taoiseach to say that Opposition Members run down the frontline staff in the health service. We recognise the pressure they are under. We recognise the job they do. The Taoiseach should remember that the people did not elect the HSE. They elected the Government. What we have now is a single person Government where every

member of the Cabinet believes whatever the Taoiseach says, whether it is right or wrong.

The figures in regard to the National Treatment Purchase Fund that the Taoiseach mentioned are sanitised. They refer only to surgical cases. They do not refer to medical cases. Nor do they refer to the fact that there are huge waiting lists to see doctors in the first instance. One member of the Cabinet, the Minister for Community, Rural and Gaeltacht Affairs, Deputy Éamon Ó Cuív, who is absent this morning, said that the HSE is a complete shambles, that it is impossible to deal with it.

The ratio of persons working in the HSE is interesting. There are nine national directors and 61 assistant national directors. That is nearly seven to one. When Professor Drumm addressed this parliamentary party a number of years ago in Portlaoise he said there are 2,500 persons working in our system who do not know what their job is, who do not know where they fit into the system and who will be paid for life. The Taoiseach tells me we have a world class health system. Consultants and nurses tell me that people on the end of waiting lists are dying because they cannot access the service. Do the Taoiseach and the members of his Cabinet who believe everything he says accept any responsibility for ensuring there is real efficiency in delivering to patients the care they deserve and for which they pay, and that there are more services and less administration? The Taoiseach agreed with me earlier this year that there is an obscene bulge in the administrative recruitment sections of the HSE compared with the number of nurses and doctors in the front line who are needed to give patients the first class frontline service they deserve. Does the Taoiseach accept responsibility to ensure that taxpayers, who are now spending €15,000 million, will be happy in the knowledge that they are getting an efficient, professional service that is patient-centred and does not deal in the kind of sanitised version of a health service the Taoiseach talks about from the lofty heights of the Office of the Taoiseach?

The Taoiseach: I can only give the factual position. A total of 100,000 inpatient and day care procedures are done in the public hospital system every month, more than 1 million annually. This is not a big country. The figures are, therefore, impressive. At the end of September, which is right up to date, there were 19,083 adults and 2,320 children waiting for more than three months for hospital treatment.

Deputy Paul Kehoe: They have to wait two years to see a consultant.

The Taoiseach: Those figures include both medical and surgical areas. Across the entire public hospital system that is a total of 21,403. The breakdown in regard to adults is 8,026 waiting three to six months, 6,046 waiting six to 12

months, and 5,011 waiting longer than 12 months. In the case of children the breakdown is 1,020 waiting three to six months, 784 waiting six to 12 months and 516 waiting longer than 12 months. I do not accept that 12 months is acceptable. Traditionally patients waiting for less than three months have not been included in waiting list statistics, but since the National Treatment Purchase Fund took over, it collects that information. It has confirmed that at the end of September the number of adults waiting for less than three months was 16,000.

The National Treatment Purchase Fund consistently highlights its concern that some patients are still waiting too long for treatment. They are offering the service in many cases but the hospitals will not use it.

Deputy John Deasy: One cannot get on the National Treatment Purchase Fund list unless one is on a consultant's list.

The Taoiseach: We have doubled the number of consultants. I presume they are doing their best to administer the services.

An Ceann Comhairle: I must ask the Taoiseach to conclude.

The Taoiseach: In regard to some of the short-term difficulties the HSE is having, it must get itself within its annual budget which is employing 120,000 people and spending €14 billion. It must manage its budget the same as every other agency. It has agreed to do that.

Deputy Tom Sheahan: More than 234 children have been waiting more than five years for orthodontic treatment in Kerry.

Deputy Eamon Gilmore: The Minister for Community, Rural and Gaeltacht Affairs, Deputy Éamon Ó Cuív, stated that the HSE is an impossible organisation with which to deal and that he can make neither head nor tail of it. He was a member of the Cabinet that invented, designed, framed and legislated for the HSE and brought it into being. If he can make neither head nor tail of it, what chance has a patient who is trying to get an operation, a parent who is trying to get an appointment with a speech therapist, or a carer who is trying to get home help and finds it impossible to penetrate the maze?

A month ago the HSE put an embargo on the recruitment of staff. That includes nurses, doctors, paramedics, the lot. It wants us to believe, and the Government supports it, that this will have no effect on patients. It does not have to recruit staff and we are to believe patients will not suffer. However, today we hear that operations are being cancelled at Cavan General Hospital because a consultant anaesthetist has gone on holidays and the HSE will not allow the hospital to hire a locum. We hear that the number

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of days on which breast cancer patients can be seen for biopsies at University College Hospital Galway has been cut from five to three. The head of MS Ireland said that people with debilitating neurological disorders have had physiotherapy, respite and home help services cancelled as a result of the cutbacks. We are told that an orthopaedic ward in Merlin Park hospital in Galway is due to close. All of this is in addition to the 41,000 people on hospital waiting lists and the bed closures in Tullamore, Clonmel, Limerick and Sligo about which I spoke yesterday.

By any standards, these cutbacks in the health service are affecting patients. The Taoiseach can come into this House as often as he likes and drown us in figures and results of surveys from places such as UCD. People who have used the health service will, when asked, say their experiences have been good. We have a good health service; the problem is accessing it.

Deputy Michael D. Higgins: Hear, hear.

Deputy Eamon Gilmore: We have professional people, namely, consultants, doctors and nurses, in our health service and most people's experience of it, once accessed, is good. The problem is that people are unable to access frontline services as a result of the cancellation or postponement of procedures and because appointments are not being made. One must go through a maze of bureaucracy in order to find out what is happening. The Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, has rightly described the HSE as an impossible organisation.

Is the Government taking responsibility for the Health Service Executive? The Government created it and it is, as the Taoiseach tells us, spending a great deal of money on it. Is the Government responsible for the Health Service Executive? Does the Taoiseach agree with the HSE embargo on the recruitment of staff or will he at the very least direct it to recruit and replace frontline staff? If the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, is correct — I believe he is — what will the Government do to ensure the Health Service Executive delivers the type of health service for which it receives all of the money about which the Taoiseach keeps telling us?

The Taoiseach: A number of points have been raised. I am glad Deputy Gilmore acknowledges our health service is good and that he agrees, as I do, that the more efficient that service is in treating patients, the better. Ministers and official members of the health committee have made considerable efforts to improve the service and to ensure an efficient structure. I must acknowledge — it is easy to criticise an organisation — that the facts speak for themselves. The HSE has halved the waiting list in respect of those awaiting procedures. While this is not perfect, the waiting lists

have been halved. The resources provided have been used to good effect. I accept issues remain in respect of HSE structures. However, it is striving to bring together an enormous organisation which is different from that which existed a few years ago. The operation of such a large organisation and management of 120,000 people is not easy.

The Government provided the HSE with €14 billion in funding for this year. Every other organisation that received money from Government had to manage it. The HSE did not run into difficulties last year; in fact it had not spent all its money. This year, however, at the end of August it had overspent. It is not for Government to tell the HSE how it must implement its arrangements. The management, Accounting Officers and executive of the HSE must do this.

Deputy Pádraic McCormack: They are wasting it.

The Taoiseach: The Government has stated that frontline services should not be affected——

Deputy Brian Hayes: They are.

The Taoiseach: ——and that resources which must be clawed back must be taken from non-emergency areas. The Government has told the HSE that where difficulties arise, they should be addressed in conjunction with the staff under the partnership programme which deals with such issues. The HSE has taken our advice and is seeking to address its problems in an organised manner.

The reality is that Government, through the Department of Health and Children, the health committee and Cabinet health committee, is in daily contact with management of the HSE. The Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, pointed out a few areas wherein he believes his Department could help the organisation.

(Interruptions).

The Taoiseach: He cited an example of funding allocated to his Department for the provision of ambulances in rural areas and suggested this might be of assistance to the HSE. The Minister is directly engaged in the provision of funding, under the aegis of programmes operated by his Department, to assist the HSE and I believe this is the right thing to do.

An Ceann Comhairle: A brief supplementary from Deputy Gilmore.

Deputy Eamon Gilmore: I am fascinated by the manner in which the Taoiseach describes the Government's relationship with the HSE. He seems to think it is the function of Government to advise the HSE or to have a word in its ear with, perhaps, a member of Cabinet then taking

a kick at it when it is sufficiently popular to do so. Will the Taoiseach take any responsibility for the HSE? The function of the HSE is, as the Taoiseach stated, to deliver a health service. At the end of the day, patients in Cavan have had their operations postponed this morning and women in Galway are concerned about when they will be called for biopsies. This is the real, human end of the problem. The Taoiseach can talk statistics and structures all he likes but, at the end of the day, this is about individuals in hospital waiting rooms trying to access a service which is difficult to access. It is quite clear that the HSE is not working or delivering. The Taoiseach repeatedly talks about the amount of funding it receives but at the end of the day the service that should be provided is not being provided. The main problem which arises does not relate to individuals or managers in the Health Service Executive but with the Government which refuses to take responsibility for it.

Deputies: Hear, hear.

Deputy Eamon Gilmore: The Taoiseach believes his role is the provision of advice to the HSE by way of a word in its ear. I put it to the Taoiseach that the embargo in respect of recruitment did not arise out of thin air. I do not believe the HSE simply decided one morning to introduce an embargo on staff recruitment.

An Ceann Comhairle: Deputy Gilmore must put a question to the Taoiseach.

Deputy Eamon Gilmore: Did the Taoiseach or Government tell the HSE not to recruit more staff? Is he insisting its budget is now more important to him than the patients it serves?

Deputy Michael D. Higgins: Hear, hear. That is the issue.

Deputy Eamon Gilmore: The current embargo has been in place for a month and is now to be extended for another month. Will the Taoiseach issue a direction to the HSE to recruit frontline staff so that the service can at least continue at whatever unsatisfactory level it operated up to now?

If, as the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, says, it is not working, will the Taoiseach do something about it? The current situation, whereby the State, as the Taoiseach rightly points out, is spending a great deal of money on the health service which is not delivering the goods to patients at the end of the line, cannot be allowed to continue.

Deputy Michael Ring: It will probably receive another €80,000 for that; a bonus.

The Taoiseach: In reply to Deputy Gilmore, neither the HSE budget nor its approved staffing

level has been cut. There has been no cut in its service agreement——

Deputy Brian Hayes: There has been.

The Taoiseach: There has been no cut in the resources provided for its service agreement or in its staffing level for 2007.

Deputy Pádraic McCormack: There has been.

(Interruptions).

The Taoiseach: There has been no cut. The budget allocation, service agreement and staffing levels for 2007 have not been cut. This is a fact.

Deputy Pádraic McCormack: A woman in Galway cannot get four hours home help. I will give the Taoiseach the facts later.

The Taoiseach: Another fact is that the HSE is seeing tens of thousands more patients in a faster time than has ever happened in the Irish health service. It is competently extending and advancing a more sophisticated service to patients in public hospitals and in community care than ever before. More community care packages and services than ever before are being provided throughout the country.

Deputy Pádraic McCormack: That is not correct.

Deputy Seymour Crawford: Where are they? They certainly are not in Cavan-Monaghan.

The Taoiseach: Deputy Gilmore rightly stated there are a number of difficulties with the HSE. I have admitted that a consultant anaesthetist in Cavan is on two weeks annual leave and that at local management level it was considered that some of the non-essential caseload could be left aside for two weeks and a consultant locum would not be appointed.

Deputy Eamon Gilmore: Local management is blamed.

The Taoiseach: That was the decision taken locally. The Cabinet does not sit down and make calls about staff resources in each hospital and area of the country.

(Interruptions).

Deputy Michael D. Higgins: What is Eamon Ó Cuív saying?

The Taoiseach: What the Cabinet is doing——

Deputy Pádraic McCormack: Is discussing spin.

The Taoiseach: The Cabinet regularly sits down with the management of the Health Service

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Executive and the Department of Health and Children and we work through the HSE reform programme to make sure we get best value for our investment in services and resources and that the thousands of additional staff at the level of consultants, junior hospital doctors, nurses and others are used to the best advantage. That is what the Cabinet does.

Deputy Paul Connaughton: It is not doing enough.

The Taoiseach: We are not involved in every separate decision but we are helping the HSE to structure its reform programme in an efficient way to ensure that it can see even more patients more quickly in the future.

Ceisteanna — Questions.

Offices of the Chief State Solicitor and Director of Public Prosecutions.

1. **Deputy Enda Kenny** asked the Taoiseach if he will report on the implementation of the Nally report on the reorganisation of the Chief State Solicitor's office; and if he will make a statement on the matter. [16803/07]

2. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach the progress made to date on the implementation of the Nally report on the Chief State Solicitor's office; and if he will make a statement on the matter. [18781/07]

3. **Deputy Eamon Gilmore** asked the Taoiseach if he is satisfied that the Office of the Director of Public Prosecutions has sufficient staff numbers to allow it to discharge all its functions; if he has received representations from the DPP for an increase in staff numbers; if it is intended to sanction the appointment of additional staff; and if he will make a statement on the matter. [20598/07]

The Taoiseach: I propose to take Questions Nos. 1 to 3, inclusive, together.

I am pleased to say that implementation of the relevant recommendations of the Nally report on the re-organisation of the Chief State Solicitor's office is now completed.

The last recommendation to be acted upon, that responsibility for the local State solicitors should be transferred from the Office of the Attorney General to the Office of the Director of Public Prosecutions, with legislative provision to enable the Director of Public Prosecutions to delegate to them, was implemented with effect from 15 May 2007. In January 2007, the Minister for Finance approved 28 new permanent posts and one contract post for the Office of the Director of Public Prosecutions. This brought the total authorised staff complement of the director to

202. These additional staff were sanctioned following a detailed analysis of the staffing needs of the Office of the Director of Public Prosecutions undertaken jointly by officials of the director and the Minister for Finance. This analysis culminated in a report which concluded that there had been both an increase in the volume and complexity of the work undertaken by the Office of the Director of Public Prosecutions and that new areas of work had also emerged which need to be addressed.

In addition to the new staff sanctioned in January 2007, the director is in communication with the Courts Service and the Departments of Finance and Justice, Equality and Law Reform with regard to further staff which will be required to implement a range of initiatives in the criminal justice sector. The number of additional staff required is not yet clear but is being kept under review. The director is also examining the number of extra staff which will be required when responsibility for sea fisheries prosecutions are transferred to him from the Attorney General.

Filling of all of the additional posts sanctioned in January 2007 will not be possible until additional accommodation which has been approved for the Office of the Director of Public Prosecutions becomes available. The office currently has 14.5 staff vacancies. However, I understand that efforts are continuing to recruit additional staff notwithstanding the accommodation difficulties. In the meantime, a range of temporary initiatives are being used to overcome the accommodation problems.

Deputy Enda Kenny: Are there plans to provide better information for victims of crime and their families on the progress made on cases in the DPP's office? In a recent case the victim of child sexual abuse was informed by her abuser that the case would not proceed to prosecution.

Does the Taoiseach share my view that before sentencing, the prosecution should be allowed make a submission to the court on behalf of the people regarding the category of crime involved in the case? In a number of serious cases there was no opportunity for the voice of the people to be heard in the court before sentencing. Does the Taoiseach share my view that a statement should be made before sentence is handed down in such cases?

The Taoiseach: There have been difficulties in the Chief State Solicitor's office and the Office of the Director of Public Prosecutions. For the first time, we have come to the end of those difficulties and staffing is in place. There has been a huge increase in staffing in recent years and this has given rise to a need for new office accommodation.

Deputy Kenny has raised these matters a number of times and the DPP is examining them himself. This is a matter for the director, because of the independence of his office under the 1974

Act. He has highlighted the case for giving more information to victims. However, the DPP is totally independent and I do not wish to discuss how he might deal with the matter. The manner in which information is given to families is a hugely sensitive matter. The director acknowledged that in a recent speech. I do not know what he can do to improve that service.

I have raised this matter with the Minister for Justice, Equality and Law Reform and he is anxious to see improvements in this area. He has pointed out to me that the independence of the Director of Public Prosecutions is total. However, I am sure our views will be noted.

Deputy Caoimhghín Ó Caoláin: One of the functions of the Chief State Solicitor's office is to act for the State in inquiries established under the Tribunals of Inquiry (Evidence) Act 1921 and to provide legal staff to act for tribunals. Does the Taoiseach know how much time this pursuit takes up in the overall work of the CSSO? What is the cost to the State of employing legal teams for tribunals? Is this advice made available to the Taoiseach on an ongoing basis, presumably through the Office of the Attorney General?

The CSSO also advises and represents the State in asylum and refugee law cases. Is the CSSO under instruction to scrutinise EU immigration law for loopholes that allow the State to limit residency rights? This seems to be the only explanation for the Government's recent decision to refuse residency to spouses of EU citizens under the purported terms of an EU directive which has the opposite intent, that is, to facilitate residency applications. This has been the subject of a number of parliamentary questions I have tabled for the appropriate Minister.

The Taoiseach: The Chief State Solicitor's office has recruited a large number of staff. The office complement is 249, which represents a large increase in the last number of years. The complexity and range of cases covered by the office has also risen dramatically. This aspect of the work of the office was analysed by the Departments of Finance and Justice, Equality and Law Reform and the Office of the Chief State Solicitor. On the first case, a number of the tribunals have their own legal team working to the tribunals, but the Office of the Chief State Solicitor is involved with the Barr tribunal. I know the workload in that area. On the issue of asylum, I am not familiar with the details, so I do not wish to comment on it, but the workload of the office has increased dramatically in the past ten to 12 years because of the very lenient procedure and the fact the appeals mechanism is used to the full, unlike the situation in other countries.

Deputy Caoimhghín Ó Caoláin: On the question of tribunals of inquiry, I asked the Taoiseach if he had any idea of the time taken up in tribunal

work by the Chief State Solicitor's office. If he is not in a position to answer I will understand, but will he please ensure that an answer is secured? Is he concerned about the time the Office of the Chief State Solicitor must allocate to the work of the tribunals of inquiry currently in train as compared with its other work, and the cost of same? Will he state specifically if he receives regular reports on the work of the Office of the Chief State Solicitor through the Attorney General?

In regard to asylum and refugee law cases, there is evidence that the Office of the Chief State Solicitor is acting under instruction to seek loopholes in EU directives and has employed such an approach in cases that I have given the details of to the appropriate Minister, the Minister for Justice, Equality and Law Reform. I am waiting for a response on that issue. If the Taoiseach is not in a position to give a definitive answer, is he not concerned that might be the case? If it were the case that the State is acting contrary to the intent of an EU directive, which was intended as a facilitating measure, would he not also, like other Deputies, seek a definitive explanation?

The Taoiseach: I ask Deputy Ó Caoláin to table a question on that matter to the Minister for Justice, Equality and Law Reform because I have no details of it. I assume the Office of the Chief State Solicitor is applying the EU directives and law correctly, as it would in all cases. I have no other comment to make.

I have no information on the tribunals, but in the case of the Moriarty and Mahon tribunals and in some of the other main tribunals which have been running for years there is a separate legal team to the tribunals and the work is not being done by the Office of the Chief State Solicitor. To the best of my knowledge the work is being done by the office in the Barr tribunal, and perhaps in some others as well. I will ask for details on it.

Deputy Caoimhghín Ó Caoláin: Will the Taoiseach contact me about it?

Deputy Eamon Gilmore: My question refers to the Office of the Director of Public Prosecutions. In an article in *The Sunday Business Post* on 19 August 2007 the Director of Public Prosecutions is reported to have said "his office is struggling to provide advice to the government on major legal issues including proposed legislation due to staff shortages". He goes on to state that he is having difficulty keeping up with requirements under European law and requests from international bodies. More worryingly, he goes on to say "that the establishment of a fully resourced prosecution policy unit was essential to cope with the increase in prosecutions work taken by gardaí under the Garda Síochána Act 2005". I am sure the Taoiseach will agree that whatever about its scale,

[Deputy Eamon Gilmore.]

we have a serious crime problem and when the Garda does its work, assembles a case and sends the file to the DPP, we should not have a situation where the DPP's work in prosecuting matters and in carrying out the functions of his office are held up because of lack of staff. I listened to the Taoiseach's opening reply where I understand some staff has been sanctioned but there are 14.5 vacancies in the office of the DPP and some delays are due to problems with accommodation. We all know the difficulties the Garda have in investigating cases on a daily basis, but surely it is possible to resolve the staffing shortages in the DPP's office to ensure the prosecution service of the State is operating with the greatest efficiency.

The Taoiseach: I will try to do that. I understand the office accommodation has been sourced. My note states that currently the Office of the Director of Public Prosecution is sited on two locations. The additional accommodation being sourced by OPW is in a third location. This will in itself lead to difficulties because the office intends to move to Infirmary Road, but that is dependent on the Department of Defence moving accommodation. I think it is agreed where the DPP is going, but there is a delay. I will see what I can do about that.

We have approved the staff, but as I mentioned in the reply, in addition to the new staff sanctioned, the director is in communication with the Courts Service and the Departments of Finance and Justice, Equality and Law Reform with regard to further staff which will be required to implement a range of initiatives in the criminal justice sector. I think Deputy Gilmore is referring to this, but the number of staff has not been clarified but the director is also examining the extra staff that will be required for responsibility for the sea fisheries prosecutions. While the Nally Report is completed, the issues are to get the new staff and to move the entire service to Infirmary Road and be in one location — the director is concerned that the office is split and this creates difficulties. Infirmary Road is a good location for the office because it is near the courts----

Deputy Eamon Gilmore: And it is in the Taoiseach's constituency.

The Taoiseach: It is on the edge of my constituency. The sea fisheries work is transferring to the office, as well as work arising from some of the initiatives in the criminal justice sector. I do not think the 14.5 posts sanctioned will cover for this additional work. There is a requirement for additional staff for those two areas.

Deputy Eamon Gilmore: Has the DPP quantified the number of additional staff in addition to the 14.5 staff he is seeking?

The Taoiseach: That has not been quantified yet by the Director of Public Prosecutions or the Department of Finance.

Regulatory Reform.

4. **Deputy Enda Kenny** asked the Taoiseach if he will report on the implementation of the recommendations of the OECD Report on Regulatory Reform; and if he will make a statement on the matter. [16804/07]

5. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach if he will report on the implementation of the recommendations of the OECD Report on Regulatory Reform; and if he will make a statement on the matter. [18782/07]

6. **Deputy Phil Hogan** asked the Taoiseach the way he will ensure that Ireland's regulatory framework remains flexible, proportionate and up to date; and if he will make a statement on the matter. [18990/07]

7. **Deputy Phil Hogan** asked the Taoiseach the steps he proposes to adopt to give effect to the commitment in the programme for Government to ensure that the regulatory framework remains flexible, proportionate and up to date; and if he will make a statement on the matter. [19314/07]

8. **Deputy Eamon Gilmore** asked the Taoiseach the progress made to date with regard to implementation of the OECD Report on Regulatory Reform. [19881/07]

The Taoiseach: I propose to take Questions Nos. 4 to 8, inclusive, together.

The OECD Report, Regulatory Reform in Ireland, was published in 2001. Since then, significant progress has been made in the area of regulatory reform. The Government White Paper, Regulating Better, published in January 2004 in response to the OECD's report, provides the basis for work on the Better Regulation agenda. Importantly, it sets out six core principles that must be reflected in how we design, implement and review legislation and regulation. These principles are necessity, effectiveness, proportionality, transparency, accountability and consistency. The Government is confident that adherence to the above principles will ensure that Ireland's regulatory framework remains flexible and responsive to the needs of business and citizens alike.

Some of the key areas outlined in the OECD report relate to specific sectoral issues and the appropriate Ministers with responsibility for those sectoral areas are reporting directly to the House on progressing those recommendations. A detailed report on progress made in implementing the White Paper commitments was submitted to Government earlier this year and is available on the Better Regulation website. My Department has a specific remit on better regu-

lation in that a dedicated unit within the public service modernisation division is tasked with promoting the better regulation agenda. The programme for Government includes a commitment to instigate a review of the economic regulatory environment which dovetails well with elements of the action programme for better regulation contained in the White Paper. The preparatory phase of this review is in progress across the relevant Departments.

It might be useful for me to outline for the House the progress made to date on the implementation of the White Paper, in particular in regulatory impact analysis, modernisation of the Statute Book and improving the regulatory environment for business.

Regulatory impact analysis, RIA, has been introduced across Government Departments and offices. Officials are now routinely applying RIA to legislative proposals in advance of their submission to Government. The better regulation unit of my Department provides practical support for officials conducting RIAs, including a training course and guidelines, as well as through the RIA network. Departments and offices are strongly encouraged to publish RIAs on their websites. Making good on commitments contained in Towards 2016, my Department is also progressing an independent, external review of the introduction of RIA in Ireland.

The better regulation unit of my Department has, together with the Office of the Attorney General, steered and focused work in the area of modernisation of the Statute Book. The Statute Law Revision Act 2007 was signed into law by the President in May of this year and repealed 3,225 obsolete statutes. The removal of these redundant Acts from our Statute Book has undoubtedly assisted in clarifying the legislation that remains in force.

Last month, a public consultation process on the next phase of statute law revision was launched, focusing on local and personal and private Acts enacted prior to 6 December 1922. This phase of the project has the potential to be bigger again than the May 2007 Act. It would probably be the largest statute law revision Act ever enacted anywhere in the world.

In addition, as part of the development of an appropriate programme of restatement, the Law Reform Commission published a comprehensive consultation paper on the issue of statute law restatement in July.

Still on the issue of modernising the Statute Book, in June of this year the Government agreed to introduce a new electronic system for the making of statutory instruments and to place it under the management of the Government Supplies Agency. This new system, which had been successfully piloted by my Department prior to its adoption, is now the sole process by which statutory instruments can be made. It ensures that all statutory instruments are produced in a standard electronic format, which Departments then

place on their websites as soon as the notice of their making appears in *Iris Oifigiúil*. This facilitates the faster and more accurate provision of statutory instruments and also enables those with responsibility for the maintenance of the on-line Statute Book to place them in the on-line Statute Book more quickly.

The better regulation unit commissioned the Economic and Social Research Institute to conduct a survey of business attitudes to regulation, which was published in March of this year. This comprehensive survey of over 800 companies, including small and medium-sized enterprises, has been widely distributed.

Efforts are now being focused on actioning the findings of the survey. Specifically, the Minister for Enterprise, Trade and Employment established a high level group on business regulation, under the chairmanship of the Secretary General of the Department of Enterprise, Trade and Employment. This group is working directly with business to look at ways of reducing unnecessary burdens arising from regulation. This is in line with the commitment in the programme for Government to ensure direct feedback from business on regulatory burdens. The work of this group will also help address the requirement in the spring European Council conclusions to put in place a national programme to reduce unnecessary administrative burdens.

Deputy Enda Kenny: Much of what the Taoiseach said is relevant. In 2007, the cost of red tape to Irish business will amount to €6 billion, an enormous and restrictive burden that was meant to be simplified following the ratification of the Nice treaty. This was the concept driven through by European leaders but it has not translated into real effect.

The Taoiseach mentioned the better business regulation forum, a body proposed by Fine Gael and the Labour Party, that will be chaired by the Department of Enterprise, Trade and Employment. How many times has it met and does it publish its reports?

I note the Taoiseach stated that Departments are strongly encouraged to publish regulatory impact assessments. I agree, but it should be compulsory and also mandatory that they should be published on time. This is an area where the Government has direct impact and influence and these assessments are valuable because they allow policy makers and businesses to see best practice and how it works.

Will the Taoiseach comment on the 2001 report that specifically referred to bottle necks in physical infrastructure, such as housing, transport and environmental services, that are fuelling inflation and constraining future growth? The Taoiseach is well aware the inflation rate in Ireland is more than double that of most of the euro zone. What is the response of Government to the 2001 report?

[Deputy Enda Kenny.]

Will the Taoiseach comment on the reform of the energy market given that permission has been granted for the ESB to build a new power plant in Aghada? What is the impact of regulation of the energy sector?

The Taoiseach: I will not deal with individual Departments but with the overall position. My reply was from the perspective of ensuring we reduce the burdens on business and citizens alike. Our watchword in regulating business is proportionality. The ESRI business regulation survey that I referred to in my reply has identified priorities for improving the regulatory environment for business. The findings of that survey are relatively positive and reveal that regulation ranks in the middle of the challenges faced by business, behind the concerns over labour costs and increased competition and ahead of concerns over infrastructure and staffing. It sits in the middle of the business agenda.

In general, business feels the amount of regulation is about right, although, obviously, a number of areas have been identified in the report that require specific action. Transport accessibility, mentioned in the 2001 report, has gone down the list, except perhaps for within the confines of Dublin, but it is not nearly as pressing in other areas. Other issues that still exist are taxation, mainly for smaller companies because larger companies are on-line and do not have difficulties with the Revenue Commissioners; health and safety which, rightly or wrongly, drives business mad because they believe it is too much regulation for them; environment law; statistical returns; and employment and company law. It is recognised nationally and internationally that our economy is lightly regulated but these issues have been highlighted in business surveys.

Initiatives are underway to ensure regulation does not result in increases in the cost burden or administrative red tape for business. I would not agree for a minute with doing away with health and safety regulation because we know why the legislation was put in place — wholesale abuses and safety issues for workers — but how we implement it and how people report on it can always be improved. We expect these initiatives to result in a measurable reduction in the regulatory compliance burden for business and I hope they work.

I accept that Irish businesses have legitimate concerns about the regulatory burden. That is why regulatory impact assessments are so important. Before any legislation, statutory instrument or other action is introduced, people must follow the six principles outlined. I take the point that the assessments are not compulsory and I agree with the Deputy that this should not be a voluntary position. The procedure is to ask if the regulation is necessary, can we reduce red tape, and whether the rules and structures that

govern this area are still valid because many of them are dated.

As regards effectiveness, one must consider whether the regulation is properly targeted and if it will be complied with and properly enforced. On proportionality, we must ask if we are satisfied that the advantages outweigh the disadvantages of the regulation, and if there is a smarter way of achieving the same result. That is what businesses usually say because they are not against doing it if there is a better way — sometimes there is and sometimes there is not.

On transparency, the question arises as to whether we have consulted with the stakeholders prior to regulating. We have now got on top of that point, given that the social partners, including businesses and trade unions, are involved in it. Therefore, before regulating, there is a discussion with the stakeholders as to whether it is necessary. Under the regulation, accountability makes it clear precisely who is responsible for whom and for what. Business people also feel strongly about an effective appeals process. One must also ask whether the regulation will give rise to anomalies and inconsistencies given the other regulations already in place, and whether we are applying best practice in developing one area while relegating others.

In each area those questions must be answered and there is consultation about them. It can slow up the system but in the longer term it is better. Before any statutory instruments, legislation or regulations are undertaken that process will take place across Departments.

The Competition Authority has now completed the reports on professions, including engineering, architecture, optometry and law. A preliminary report has been completed on the dental profession and the final report is due this month. It is expected that the report on veterinary surgeons will be published at the beginning of 2008, while the report on medical practitioners will follow towards the end of next year. A number of these matters have already been inserted in legislation or are awaiting forthcoming legislation.

Deputy Enda Kenny: Will the Taoiseach comment on the role of Dáil committees examining the range of quangos of which there appears to be a great number. I accept that regulation is necessary and that it should be as light as possible, but it must be effective. In recent years, the House has passed 50 pieces of labour legislation. There is scope for consolidation of the Employment Acts and Companies Acts to make it easier for employees and employers to know their rights and responsibilities.

There are 80 tax return deadlines each year for various headings such as PRSI, PAYE, VAT and corporation tax. That system should be made easier for small businesses because it represents an enormous burden. The relevant Acts could be amended to facilitate the collection of statistics supplied to the CSO, the Revenue Commis-

sioners, Enterprise Ireland and local county enterprise boards. The same importing and exporting information is required by service providers as by Government authorities, which places a burden on businesses. Using the best technology, traders could submit relevant data once through a single electronic entry point. Such methods would make it easier to transact business as well as giving us an extra advantage by promoting the perception of being able to do business fairly, efficiently and professionally. These matters should be examined as part of a public service reform programme to make an impact on the implementation of regulatory regimes.

When one brings in the OECD to look at public service reform, particularly in the health sector, is that not an admission that we have failed to do the business? We have a very bloated public service in some areas, which is full of quangos but could be streamlined. It will require serious action by Government to give taxpayers the return in terms of efficiency and professionalism which they deserve.

The Taoiseach: Most of the issues raised by the Deputy are being examined and substantial improvements are being made. However, I will bring that list to the attention of those who are working on it in my Department.

It is good to see the OECD examining the situation in Ireland because one of its purposes is to benchmark the Irish public service against the best there is, so that where criticisms are made they can be taken on board to improve matters. There are many other systems in place. It always strikes me that when we go to European Councils, the Irish delegation turns up with 15 or 20 officials, while larger countries turn up with several planeloads — 400 or 500 people. The OECD report aims to benchmark the Irish public service for the first time against the best there is. It will also analyse how we do things. We will examine the report and take it on the chin. Hopefully, the OECD will see the good things we do and, in addition, we will correct those things the OECD thinks we can do better and more efficiently compared with some sectors in other countries.

An Ceann Comhairle: We overran on Leaders' Questions, unsurprisingly, so I must allow a further ten minutes.

Deputy Caoimhghín Ó Caoláin: The Government's White Paper on regulatory reform lists a number of actions concerning the legislative process. It indicates that better information on new legislation is commendable. It promises that Departments and offices will provide such improved information, including the draft heads of a Bill where feasible and appropriate.

The Taoiseach will recall that I have raised this matter with him on several occasions, and he has stated that it is being implemented where pos-

sible. Does the Taoiseach agree that the release of heads of a Bill, once they have been agreed by the Cabinet, should be a matter of standard practice? That would represent a significant improvement in addressing legislation in the House, rather than the current sporadic system whereby the Taoiseach indicates that his Department and others are making an effort to be compliant while others have their hind legs dug in the sand. Is it not time for a new approach across the board, which would become standard practice? It would be of benefit to all parties, including the Taoiseach's party and, no doubt, to his colleagues in their own time in Opposition.

The Taoiseach: If I understand Deputy Ó Caoláin's point on the RIAs, he is saying that they should be done more efficiently and presented more openly. Is that it?

Deputy Caoimhghín Ó Caoláin: On many occasions we have discussed that the heads of a Bill—

The Taoiseach: Yes, that they should be given in each case.

Deputy Caoimhghín Ó Caoláin: In the past, the Taoiseach has indicated a positive disposition towards that proposition.

The Taoiseach: Yes, I am in favour of it.

Deputy Caoimhghín Ó Caoláin: Can the Taoiseach use his position as head of the Cabinet to have the co-operation of all Departments in releasing the heads of Bills once the Cabinet has reached agreement? That would facilitate a better understanding and preparation on the part of all opinion in this House.

The Taoiseach: I have always followed that practice. I agree with Deputy Ó Caoláin on this issue although it is not easy to get all of the system to follow it.

Deputy Caoimhghín Ó Caoláin: I thought the Taoiseach was going to say it was not easy to reach agreement between us.

The Taoiseach: I do agree with him on it.

Deputy Caoimhghín Ó Caoláin: Okay.

The Taoiseach: I have always tried to put the heads of Bills out for debate. In the end, as with regulatory analysis, if there is more discussion on an issue it ultimately leads to better legislation and more agreement. It gives people a chance to have a direct input. I did get Departments to publish the heads of a number of Bills in the last Dáil, although I admit that some Departments have not followed that practice. I will continue to try to get them to publish the heads because it is good practice.

Deputy Eamon Gilmore: Looking through the OECD report's specific recommendations on regulation, it seems the only matter that has been implemented is the abolition of the groceries order. Otherwise, all we seem to have got are lots of reports about regulating regulation. One such report, as I recall, was by the Competition Authority on the legal profession. Does the Government have any plans to progress new regulation for the legal profession?

The Taoiseach: There are several reports that have moved on. The OECD report on regulatory reform of professions suggested that competition in the professional services sector could be stronger. In response to this, the Competition Authority commenced a study of selected professionals, including engineers, architects, solicitors, barristers, veterinary surgeons, dentists, optometrists and medical practitioners. The strategy of the Competition Authority was to release a preliminary report for each profession containing initial proposals for improving competition, having a consultation period and moving to the next stage. They have completed all of those reports except those for veterinary surgeons and medical practitioners. Some of those have moved on.

A significant part of the report on reform of the legal profession was taken into the Civil Law (Miscellaneous Provisions) Bill 2006, Part 2 of which provides for the establishment on a statutory basis of a legal service ombudsman to provide independent statute based supervision of the companies schemes of solicitors and barristers. That Bill is before the House. It is important because it will provide a form of review of legal services for customers who are dissatisfied with the outcome of a complaint made to either the Law Society or the Bar Council. It will also oversee the complaints procedures of the Law Society and Bar Council by examining a random selection of complaint files each year. It will oversee admission to the legal profession, particularly in regard to the adequacy of the numbers admitted.

We also decided to establish the legal costs implementation advisory group to examine that issue. That group's report has three main strands. It recommends the replacement of the existing taxation of costs system with a new regulatory assessment regime; calls for significant improvements to the quality and quantity of information that a solicitor is required to provide to clients and the manner in which it is supplied; and recommends several legislative and procedural changes to reduce delays in court hearings and generally expedite the legal process. It is intended that the regulation will introduce more certainty into the area of legal costs in civil litigation and provide a simple and more transparent system of determining costs where disputes arise.

That report was published last March. It was indicated at the time that the group drafting the

legislation had commenced work. When those two Bills, the one before the House and the one being drafted, are passed they will significantly improve the whole legal area, both in respect of the ombudsman and the costs. I am not sure where the second Bill is but the first is before the House and will hopefully be enacted this year.

Requests to move Adjournment of Dáil under Standing Order 32.

An Ceann Comhairle: Before coming to the Order of Business, I propose to deal with a number of notices under Standing Order 32. I will call on Deputies in the order in which they submitted their notices to my office.

Deputy Caoimhghín Ó Caoláin: I seek the adjournment of the Dáil to discuss the following matter of urgent national importance, namely, the continuing impact of the disgraceful cuts being imposed by the Health Service Executive, HSE, on hospitals, including the cancellation of up to eight operations per day at Cavan General Hospital; the need for the Minister for Health and Children to apologise to public patients in the health care system; to withdraw her statement that the cuts will not affect patient care; and to take immediate measures to lift the ban on recruitment and to restore services.

Deputy Denis Naughten: I seek the adjournment of the Dáil under Standing Order 32 to discuss a matter of urgent national importance, namely, in light of the HSE cutbacks at University College Hospital in Galway, which is leading to the postponement of breast cancer biopsies and a further two week delay in the results of smear tests and furthermore the planned cancellation of 75 orthopaedic operations per month at Merlin Park regional hospital in Galway, that these curtailments of services will lead to severe suffering and anxiety for patients in the west. There is an urgent need for the Minister for Finance to intervene directly in this situation and reinstate these valuable and long-term cost-saving health procedures before lives are put at serious risk.

An Ceann Comhairle: Having considered the matters raised, I do not consider them in order under Standing Order 32.

Order of Business.

The Taoiseach: It is proposed to take No. 12, statements on tackling crime, and No. 4, Markets in Financial Instruments and Miscellaneous Provisions Bill 2007 — Second Stage (resumed).

It is proposed, notwithstanding anything in Standing Orders, that the proceedings on No. 12 shall, if not previously concluded, be brought to a conclusion at 7 p.m. tonight and the following arrangements shall apply: the statements of a Minister or Minister of State and of the main

spokespersons for the Fine Gael Party, the Labour Party and Sinn Féin, who shall be called upon in that order, shall not exceed 15 minutes in each case, the statements of each other Member called upon shall not exceed ten minutes in each case, Members may share time and a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed five minutes. Private Members' business shall be No. 16, motion re the health services (resumed), to conclude at 8.30 p.m. tonight, if not previously concluded.

An Ceann Comhairle: There is one proposal to be put to the House, dealing with No. 12, statements on tackling crime. Is that agreed? Agreed.

Deputy Enda Kenny: Despite the meeting and the Taoiseach's response to me yesterday, I have not received any proposals from the Government Chief Whip regarding the proposed committees or their structure. When will I get those proposals?

The Taoiseach claimed yesterday that Opposition Deputies only ever chaired watchdog committees. That is not true. In the last Dáil, for example, the Oireachtas Joint Committee on Social and Family Affairs was chaired by a member of the Labour Party. In the previous Dáil, the Oireachtas Joint Committees on Heritage and the Irish Language, and on Tourism, Sport and Recreation were chaired by Fine Gael and Labour Deputies respectively. It is not true to say that members of the Opposition chaired only watchdog committees, as they are known.

Committees are instruments of the Dáil and not of Government only. I put the Taoiseach on notice that I am seriously concerned about what he said yesterday about not changing his mind. The structure of the committees should reflect the changed representation in the House, elected by the people.

I will not offer any great co-operation unless the Government moves on this issue. In order to have this above board, I propose that, in advance of the Whips' meeting, we devote next Thursday, 11 October, to a discussion in the Chamber about the issue that Deputy Michael D. Higgins raised yesterday. This would include the quality of the committees, their role and responsibility and how we should deal with them. It would also deal with my belief that the Dáil, Seanad and committees should all be televised on a special parliamentary channel so that people would know what goes on in here.

Let us have that discussion and ask the Members, new and not so new, about their views on committees, their structure, their nature and how the House should deal with them. This would be beneficial to the Parliament and democracy in general. I suggest to the Government Whip that tomorrow week we have a discussion here between all the parties and individuals about the committee system. I am concerned that the

proportion of elected representatives should be reflected in the way that the committees do their business.

An Ceann Comhairle: The Deputy is aware that this is not a matter for the Order of Business but in view of its importance I am allowing some discussion on it.

Deputy Enda Kenny: I thank the Ceann Comhairle. Well done.

The Taoiseach: We replied to Deputy Kenny's letter this morning but he may not have had an opportunity to see the reply. I have no problem discussing the procedures. That is a good idea. In respect of some of Deputy Higgins' points yesterday, the committees do a much better job than they are given credit for and over the past 20 years committees have undertaken good work. Only a few get prominence for the effort and commitment they put into their work. I have appeared before several committees in the past few years and they are well attended in so far as people can manage when handling their other tasks. The contributions to them and their reports are good.

While I do not wish to single out committees, a number of the committees in the last Dáil did a very good job and produced excellent reports on a wide range of areas. I refer to the idea of a channel, of securing more time for such committees and avoiding difficulties with rooms. I had the opportunity to talk to Deputy Higgins after yesterday's Order of Business and I agree with him. Members should try to resolve these issues.

After the elections in 1997 and 2002, I agreed on the composition of the committees in consultation with the Government Whip of the day. We want to reach agreement on this matter quickly. As I stated yesterday, I am not in favour of the D'Hondt system. Obviously, Deputy Kenny's party's representation on the committees will be on the basis of its current numbers. The Government Whip is ready to talk to the Fine Gael Whip about how to make progress in this regard. Obviously, were a debate to be held next week, it would not be concluded before then. However, this matter should be settled as soon as possible.

Deputy Eamon Gilmore: I support the suggestion made by Deputy Kenny. It follows on from the suggestion made by Deputy Higgins yesterday that the House should have a debate on the role and function of committees.

However, the immediate issue that must be addressed relates to the number of committees to be established, as well as the chairing of those committees. I understand the Taoiseach has proposed to establish 21 committees, 18 of which will be chaired by Members from the Government benches. This is manifestly unfair by any standards. In many Parliaments it is the practice that committees are chaired by Members from the

[Deputy Eamon Gilmore.]

Opposition, particularly committees that mark Departments and Ministers. Is it purely coincidental that the increased number of committees coincides with the number of Independents who support the Government? Has the Taoiseach struck a deal with the Independents for the chairmanship or vice-chairmanship of committees in return for their continued support for the Government?

Deputy Michael D. Higgins: In order to be assistance in this regard, I am glad the Taoiseach has acknowledged it is absurd that an important committee such as, for example, the committee on foreign affairs should be governed as to the length of time it sits by the availability of a room, as has happened frequently. The aforementioned committee is a good illustration of the need for a debate on the fundamental role of committees, which the House should have next Thursday. Yesterday I made the point about the distinction between scrutiny committees, the purpose of which is to scrutinise legislation put before them by the Executive, and initiating or legislative committees, such as exist in Denmark, that have the right to introduce legislation or even committees that have the right to make amendments and return them to the House.

A fundamental issue arises as to whether committees are an extension of the Executive or a creature of the Parliament. If one is to defend a robust parliamentary system, a debate on the different categories of committee is required. A further example that arises in this House concerns the chairman of the committee on European affairs, who has the right to be consulted on some intelligence matters affecting the European Union. However, such a right does not exist for the chairman of the committee on foreign affairs. At present, several different unspecified functions exist. After the committees have been initiated in this House it will be too late because their Standing Orders will have been established and Members will be unable to amend them.

This issue will arise in the context of preparing for the constitutional referendum on the European treaty, whenever it will take place, when Members will be obliged to discuss issues pertaining to the democratic deficit. No foreign affairs committee in the European Union was able to say anything significant regarding the prevention of the Iraq war. In other Parliaments, such as the Parliament of Australia, Members have been unable to secure information on the war's consequences.

I have raised this issue today and yesterday because at the outset of a new period for the committees, it would be irresponsible not to discuss their functions and purposes in the Dáil in plenary session and to continue thereafter to fill them properly, resource them with staff and rooms and have minutes available that are accountable in the plenary system. I do so as a

parliamentarian who is committed to the accountability that must exist in this Parliament.

I repeat the policy at issue is whether the committees are an extension of the Executive or a creature of the Dáil in plenary session. For example, it is nonsense to suggest the committee on foreign affairs, under its existing Standing Orders, is anything but an extension of Iveagh House.

The Taoiseach: The Government has already agreed to have a meeting regarding committees. Over the years a number of initiatives have been taken. For instance, there used to be a committee week that was dropped because Members thought it interrupted the main work of the House. The number of committees has been increased, their role and remit has been extended and they now bring before them far more external bodies. The committee system has expanded since its beginnings in 1984, when only a few committees existed. Any good ideas or suggestions should be taken up.

However, lest any Member believes the committees were mere debating chambers, in the last Dáil, legislation was held up repeatedly by committees. I was obliged time and time again to go after people to try to get legislation through. Had the legislation been dealt with in this Chamber it would have gone through. The idea that this does not affect the operation of the Executive is a nonsense as important legislation gets tied up in committees. In many instances a committee is only as good as its chairman, vice-chairman or membership. On occasion, some committees had difficulties in getting members to turn up in the first place. There are difficulties in this regard. I am content to hold a debate and to reach a good accommodation on this issue. However, to think the committee is a debating society, then UCD or Trinity—

Deputy Michael D. Higgins: No one said that.

The Taoiseach: No. However, there are committees other than the committee on foreign affairs.

Deputy Michael D. Higgins: There are many of them.

The Taoiseach: It is important to have a structure and a system.

As for Deputy Gilmore's query, I have been lobbied by many Members on both sides — I will not mention names — who have inquired whether there is any chance of securing a committee chairmanship or vice-chairmanship. This is not confined to Independents.

Deputy Eamon Gilmore: Members must wait and see.

An Ceann Comhairle: The Whips are to meet on this issue. I call Deputy McManus.

Deputy Michael D. Higgins: It is just as well I did not ask the Taoiseach for anything.

Deputy Noel Dempsey: Not yet.

An Ceann Comhairle: Deputy Higgins should time his run.

Deputy Liz McManus: The Minister for Communications, Energy and Natural Resources has closed down a highly important grant aid scheme for householders to introduce renewable energy systems into their homes. Will the Taoiseach address this issue? While the Green Party does not intend to keep an eye on Fianna Fáil, perhaps Fianna Fáil should keep an eye on the Green Party in respect of the termination of a scheme to support householders.

The scheme was ended by the Minister and Members received a promise of a Supplementary Estimate. However, the Minister for Finance has indicated there is no sign of a Supplementary Estimate. Will the Taoiseach ensure the introduction of a Supplementary Estimate, albeit for the greatly emasculated scheme now proposed by the Green Party?

An Ceann Comhairle: Is this promised legislation?

Deputy Liz McManus: This pertains to a promised Supplementary Estimate and I am entitled to ask about promised Supplementary Estimates.

An Ceann Comhairle: I am not aware of any such promise.

Deputy Bernard J. Durkan: It was definitely promised.

Deputy Liz McManus: I thought I had made that clear when I rose.

An Ceann Comhairle: I am not aware of any such promise. I call Deputy Coveney.

Deputy Emmet Stagg: On a point of order——

Deputy Liz McManus: The Taoiseach must answer me.

Deputy Emmet Stagg: ——the Deputy is entitled to ask a question on a promised Supplementary Estimate. It does not matter whether the Ceann Comhairle is aware of it, once it has been promised.

An Ceann Comhairle: I am not aware of it.

Deputy Emmet Stagg: It is not necessary for the Ceann Comhairle to be aware of it. It is not his job to be aware of it.

An Ceann Comhairle: Is the Taoiseach aware whether it has been promised?

The Taoiseach: I am not aware of it either.

Deputy Micheál Martin: There is no promise.

An Ceann Comhairle: The Taoiseach is not aware of it either.

Deputy Emmet Stagg: It is not necessary for the Ceann Comhairle to be aware of it.

Deputy Liz McManus: This is the problem. It is clear that the Taoiseach is not aware of it.

An Ceann Comhairle: No.

The Taoiseach: I am aware the Tánaiste and Minister for Finance does not intend to introduce any Supplementary Estimate.

An Ceann Comhairle: Deputy McManus must table a parliamentary question in respect of this matter. I am merely enforcing Standing Orders.

Deputy Liz McManus: This is important——

An Ceann Comhairle: I am sure it is.

Deputy Liz McManus: ——because a reduced scheme was announced by the Minister to be introduced by him on the basis of a Supplementary Estimate.

An Ceann Comhairle: This matter is not in order now.

Deputy Liz McManus: I am entitled to ask the question in the House and I am amazed to find the Taoiseach is unaware of this matter.

An Ceann Comhairle: It is not in order.

Deputy Emmet Stagg: It is in order.

Deputy Liz McManus: Of course it is in order.

Deputy Kathleen Lynch: It is in order. It pertains to a Supplementary Estimate.

An Ceann Comhairle: I call Deputy Coveney.

Deputy Liz McManus: It is in order. The Taoiseach should indicate——

Deputy Emmet Stagg: On a point of order, it is important the Ceann Comhairle does not rule it out of order to raise an issue about a promised Supplementary Estimate because that is in order. We do not want to set a precedent that we cannot raise issues about promised Estimates in future.

The Taoiseach: Deputy Stagg has a point. To be helpful, I am not aware of the Tánaiste and Minister for Finance bringing forward this year a Supplementary Estimate about anything.

Deputy Liz McManus: Could we then have clarification that there will be no new scheme, that the Minister misled the public by indicating that there would be a scheme by way of a Supplementary Estimate?

An Ceann Comhairle: It is quite clear that since there was no promised Supplementary Estimate——

Deputy Bernard J. Durkan: There was.

An Ceann Comhairle:——Deputy McManus is not in order. The Deputy is entitled to raise the matter by way of parliamentary question and I must ask her to do so. I have no alternative, I am merely enforcing the rules.

Deputy Simon Coveney: In the context of today's Order of Business, and statements on tackling crime, in particular, which will presumably deal with gangland and drugs crime, is the Taoiseach concerned at recent reports of one of his Ministers being quoted as saying that he uses cocaine on a regular basis?

An Ceann Comhairle: One way or another, that is not in order.

Deputy Simon Coveney: If we are discussing crime for two or three hours this afternoon is it not the case that we will hear hypocrisy?

An Ceann Comhairle: Deputy Coveney is welcome to make that point during the course of that discussion but it is not in order now.

Deputy Simon Coveney: The Taoiseach is obliged to take responsibility for the Government and his Ministers and the simple question I want to ask is whether he has investigated the reports——

Deputy Noel Dempsey: There is no promised legislation.

An Ceann Comhairle: I call Deputy Timmins.

Deputy Simon Coveney:——and whether he has called in his Minister to ask whether it is factually true. I have the quote in front of me, "Yes, I do take drugs, just coke though, on a regular basis."

A Deputy: Coca-Cola.

An Ceann Comhairle: I call Deputy Timmins.

Deputy Simon Coveney: He goes on to state that he is certainly not the only one around here who does.

An Ceann Comhairle: That has occurred to me at times, to be honest with you. I call Deputy Timmins.

Deputy Simon Coveney: All I want to know is, does the Taoiseach intend to investigate it?

(Interruptions).

Deputy Billy Timmins: Recently the Government made a decision to give the green light to Irish participation in an EU-led force to Chad. Would the Taoiseach join with me in the condemnation of the massacre of troops from the African Union over the weekend by Sudanese rebels? Is he satisfied that our EU mandate for this force is satisfactory, the force will have the backing of the international community and it will be adequately equipped?

An Ceann Comhairle: I empathise with Deputy Timmins but the matter is not in order.

Deputy Billy Timmins: I think the Taoiseach would like to say something on the matter.

An Ceann Comhairle: No, it is not in order.

Deputy Caoimhghín Ó Caoláin: In light of the most recently exposed cutbacks in the health services where patients must wait while essential practitioners avail of their entitlement to annual leave, when does the Taoiseach expect the Cabinet to agree the heads of the eligibility for health and personal social services Bill? This is a question I have addressed here on a number of occasions. It is all about the entitlements and rights to proper health care of every citizen. Would he accept in the light of all that has already been addressed here this morning that it is vital to press ahead with this legislation as speedily as possible?

The Taoiseach: That legislation is under preparation and it will probably be into the new year before it is ready. The Minister for Communications, Energy and Natural Resources, Deputy Eamon Ryan, tells me that the question raised by Deputy McManus relates to internal transfer of funds, that he has an understanding with the Tánaiste and Minister for Finance on that issue, and therefore funds will be provided.

Deputy Liz McManus: I am delighted to hear it. When is that likely to happen?

Deputy Eamon Ryan: The Deputy should put the question to the Minister.

Deputy Seymour Crawford: I want to raise the issue of the animal health Bill. In light of the blue tongue disease and foot and mouth disease outbreaks in the UK, does the Taoiseach realise that there is a new urgency to adopt an all-Ireland approach to animal disease?

An Ceann Comhairle: Good try, but the question is out of order.

Deputy Denis Naughten: It relates to promised legislation.

Deputy Seymour Crawford: The animal health Bill is——

An Ceann Comhairle: Nobody mentioned the animal health Bill until now, Deputy Naughten.

Deputy Seymour Crawford: I mentioned it at the outset.

An Ceann Comhairle: Does Deputy Crawford want to ask a question?

Deputy Seymour Crawford: I mentioned it at the outset. It is in order. The animal health Bill is No. 18 on the list.

Second, the child care Bill is only in section C of the list, yet there is a crisis in the child care area as far as community groups are concerned.

The Taoiseach: The animal health Bill is due in the middle of next year.

Deputy Bernard J. Durkan: On promised legislation,——

Deputy Tom Kitt: Deputy Durkan has not gone away.

Deputy Bernard J. Durkan: ——when will the immigration, residence and protection Bill and the prevention of corruption (amendment) Bill be published, have all the heads been agreed in Cabinet and when is it proposed to take them on Second Stage?

The Taoiseach: Both of those Bills are listed for this session.

Deputy Thomas P. Broughan: What is the timeframe for the aviation regulation Bill and is the Taoiseach concerned that social partnership seems to be breaking down due to unilateral actions by companies like Aer Lingus where agreements have been made from which they walk away unilaterally?

In the same context, is the Taoiseach aware of what the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, gets up to? The Minister is effectively excluding the social partners from membership of the boards of the partnership and Leader companies and I wondered whether the Taoiseach was aware of that.

An Ceann Comhairle: On the legislation.

The Taoiseach: The aviation regulation Bill is due in 2008.

An Ceann Comhairle: How could the Taoiseach know what the Minister, Deputy Ó Cuív, is up to?

Tackling Crime: Statements.

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I very much welcome the opportunity afforded by this debate to hear the views of members of all parties of the House on the subject of tackling crime.

The public understandably has concerns about crime and properly makes those concerns known to us, as public representatives. Deputies in this House are well placed to know what is happening in their communities, what forms of crime are causing problems in their areas and the local conditions which can exacerbate, for example, the problems of public disorder.

I am glad that this debate is not in the form of ritualised motions and countermotions defending and attacking the record of the Government in dealing with crime.

Deputy Charles Flanagan: Ritualised statements instead.

Deputy Brian Lenihan: Of course, I would strongly defend the measures which the Government is taking — it is necessary for me in statements such as this to set some of those out — but I want to make it clear that neither I nor the Government make claim to some monopoly of wisdom in how to tackle the myriad of complex issues which arise in trying to tackle crime. I am more than prepared to consider any constructive suggestion made by any Member of this House and it is important that, whatever may divide us, a message goes out from this House today that all sides here are united in our determination that the problems of crime be effectively addressed.

I do not intend today to detain the House with a lengthy analysis of crime statistics. They are already on the public record. It is no consolation to someone who has been a victim of crime to point out that the chances of it happening, particularly in this jurisdiction, are low. However, in an effort to give some perspective to this debate and point to what has been achieved, there are a few figures it might be helpful for me to mention. The latest figures available from the Central Statistics Office, which now has responsibility for compiling crime statistics, cover the 12 month period ending on 30 June 2007. They show a drop in headline crime of just over 1% on the previous 12 months.

Garda figures show a detection rate of 40% for 2006 which compares favourably with rates internationally and with rates here of 36% in 2003 and 35% in 2004 and 2005. The crime rates must, of course, be seen against the background of the rises taking place in population. The crime rate per 1,000 of population dropped from 26 in 2003 to 24.5 in 2006. On recent murders, I can tell the House that since 1 August last there have been 17 murders and manslaughters. Persons have been charged in respect of 13, or 76%, of these cases, including one of the two firearms cases.

[Deputy Brian Lenihan.]

I am not at all to be taken as suggesting these crime rates are acceptable — far from it. I have stated previously that one crime is one too many. However, it would be wrong of us not to acknowledge the achievements of the Garda Síochána and other agencies in the criminal justice system. We tend to forget that week in, week out individuals are brought to justice for their crimes.

Under the Garda Síochána Act it is open to me to set policing priorities for the Garda Síochána. I am in the course of determining these priorities for 2008 and yesterday I consulted my colleagues in Government about them. My intention is to prioritise areas such as gun crime, organised crime and drugs, and public order. Before finalising these priorities I wish to hear what Deputies have to say in the course of today's debate and will take their views into account.

As much as I can as Minister for Justice, Equality and Law Reform, I wish to foster a spirit of national partnership in tackling crime. Accordingly, I am giving priority to establishing a joint policing committee in each local authority area. These committees provide a forum where members of a local authority and the senior Garda officers responsible for policing the area, together with Oireachtas Members and community and voluntary interests, can consult, discuss and make recommendations on matters affecting policing of their community.

On the one hand, these committees should make policing more responsive to community needs; on the other they should make the job of the Garda in tackling particular problems easier by providing a forum for co-operation with all the interests involved. Twenty nine committees are now operating on a pilot basis. The Minister for the Environment, Heritage and Local Government, Deputy Gormley, and I are examining what lessons can be learned from the operation of the pilot committees. We intend to have committees up and running in all local authority areas as early as possible in 2008. One of the priorities I intend to establish for the Garda Síochána is full and enthusiastic participation in the work of these committees.

My primary responsibility as Minister for Justice, Equality and Law Reform is for the criminal justice system. However, in any debate about crime we must be conscious there are many matters wider than the operation of the criminal justice system that can have an effect on the crime rate. For example, in this country many people seek out and use illicit drugs. These people are the ready market that is the lifeblood of the drugs industry and the deadly violence associated with it. At the other end of the scale, while the Garda has to use the law to deal with incidents of public disorder we have to be conscious too that there is a need for facilities for young people in our communities. To put it at its most basic, it helps that when the Garda has to

move young people along there is somewhere for them to go.

That said, there is one fact about crime that is so obvious at times it can be lost in the welter of analysis; those who are responsible for crime are those who commit crime. There is a basic duty on all citizens to obey the law and let their fellow citizens enjoy their lives and their property peaceably. There is a fundamental duty on the Government to vindicate these fundamental human rights. In this regard I assure the House of one thing; the Government will not be found wanting in taking whatever measures can reasonably be taken to tackle crime. In doing so, I know I will have the support of all sides of the House.

I am keenly aware from my contact with constituents and with Deputies from all sides of the House of the widespread concern about the problem of public disorder. Deputies are better placed than most to know how in some areas anti-social behaviour can make people's lives a misery. Strong provisions are already in place to combat anti-social behaviour. The Criminal Justice (Public Order) Act 1994 modernised the law in this regard. The Intoxicating Liquor Act 2003 contains provisions to deal with alcohol abuse and its effect on public order. The Criminal Justice (Public Order) Act 2003 provides the Garda with powers to deal with late night street violence and anti-social conduct attributable to excessive drinking.

In addition to the criminal law, we have a range of initiatives in place to get at the root causes of this type of behaviour. The Garda juvenile diversion programme has proven to be highly successful in diverting young persons away from crime by offering guidance and support to juveniles and their families. The Garda youth diversion projects are community-based, multi-agency crime prevention initiatives which seek to divert young people from becoming involved, or further involved, in anti-social and-or criminal behaviour. By doing so, the projects also contribute to improving the quality of life within communities and enhancing Garda-community relations. The Government is committed to doubling the number of projects to 168. I recently approved the establishment of an additional 12 projects, bringing the current total to 93 throughout the country.

CCTV schemes are a strong deterrent in fighting crime and anti-social behaviour as well as giving communities greater peace of mind. More broadly, a number of reforms have taken place in recent years to bring about a more effective youth justice system and these have been enshrined in legislation in the Children Act 2001, as amended. The Act is based on the principles of diversion from crime and anti-social behaviour, restorative justice, the expanded use of community-based sanctions and measures by the courts, and the use of detention only as a last resort.

Recent measures have reformed our entire approach to youth justice. The Irish youth justice

service, an executive office of my Department which is co-located in the Office of the Minister for Children, now has responsibility for developing youth justice policy and operating the children detention schools.

The Government is committed to addressing the problem of anti-social behaviour. Ultimately, offenders have to pay a price for this type of behaviour. I have therefore asked my Department to look at the question of what the programme for Government refers to as community payback. This involves those who have transgressed providing real services for the communities they have damaged. It is the case that community service orders already mean some offenders make reparation to society generally, but we now want to examine the possibility of making a more direct connection between the offence and reparation to the community against whom the offence has been committed.

There is no doubt developments which have taken place in regard to gun crime are deeply disturbing. Members of the gangs involved set no value on human life. We have had a series of killings relating to feuds within gangs or rows over the drugs trade. It is small consolation that the problem is not unique to this country. At a meeting a few weeks ago with the British Home Secretary, Jacqui Smith, I had the opportunity to discuss the problem of gun crime and the courageous and determined efforts she is making to grapple with the serious problems of gang and gun violence in the United Kingdom.

The reprehensible gun attack on Garda Paul Sherlock last week provided evidence of the depths to which these gangs will stoop. I know Members on all sides of the House have already expressed their revulsion at what happened, but let us pledge again our full support for members of the Garda Síochána in bringing the perpetrators to justice. That incident was a stark reminder of the dangers facing members of the Garda Síochána as they go about their daily task of protecting us all.

The House will be aware the Government recently appointed Deputy Commissioner Fachtina Murphy to replace Commissioner Noel Conroy when he retires next month. As well as paying tribute to the work of the Garda Síochána generally, I believe all Members of the House will join me in acknowledging the service which Noel Conroy has given to the Garda Síochána and thereby to the community. He will continue to give that service for some weeks ahead but the Government took the view it was desirable for his successor to be in place some months ahead of his formal appointment so he could assess the nature of the position he is undertaking. We can also have confidence, on the basis of his performance to date, that Deputy Commissioner Murphy will provide outstanding leadership to the Garda Síochána at a time of great challenge.

I have said previously the fight against the activities of gangs is going to be long and has to

be relentless. The House is aware Operation Anvil has been specifically directed against the activities of these gangs, particularly in Dublin. Figures which I received from the Garda Commissioner recently show that from its beginning in May 2005 to 9 September last, 768 firearms have been recovered, 37,437 searches for drugs have taken place and over 70,000 checkpoints established. I suggest to the House that these figures make clear the unrelenting nature of the activity being undertaken by the Garda Síochána to deal with these problems.

This House has enacted a wide range of measures to deal with the activities of gangs. Many of the measures contained in the recent Criminal Justice Act will inevitably take a while to have full effect and they should be given time to do so. As legislators we must always stand ready to make any further changes to our criminal laws that prove necessary. In that regard, for example, I will bring proposals before this House for the creation of a DNA database. I would welcome the views of Members on what direction we should take in that regard.

It is easy to sound tough on crime. What is needed is to be tough on crime. To do that we must ensure those agencies charged with tackling crime are provided with the resources they need. There is no use willing an end unless we provide the means. I am anxious to put on record what the Government has done in this regard.

The current programme for Government reaffirms the commitment to a Garda strength of 15,000, with a target date of 2010, and commits us to increasing the strength of the force further to 16,000 by 2012. Recruitment to the Garda Reserve will also continue as a priority. The Garda budget now stands at €1.44 billion compared with just over €0.9 billion five years ago. Garda overtime this year will amount to approximately €140 million compared with €66 million five years ago.

Since December 2006, approval has been given for the recruitment of 600 civilian staff and 300 have been assigned already, releasing some gardaí for operational duties. The Garda fleet is undergoing extensive modernisation. Last year, €24.7 million was used to purchase 1,378 vehicles for the force.

I am determined that gardaí will have access to state-of-the-art technology in carrying out their duties. In implementing the new national digital radio system over the next two years, over 17,000 radios will be provided for members of the force in Garda cars and other locations. A major incident computer system will automate many of the functions currently being performed manually when a major incident occurs. We are also proceeding with an automated number plate recognition system, an automated fingerprint identification system and an automated ballistic identification system. CCTV systems will be put in place in all major county towns.

[Deputy Brian Lenihan.]

There have been major reforms of the Garda Síochána, including the appointment of a Garda Inspectorate, and the advisory group on Garda management and leadership development. As part of the enhanced programme of civilianisation, a new civilian head of administration at deputy commissioner level has been appointed. All of these changes are designed to support and equip the Garda in dealing with the complex challenges it faces.

It is important too that other agencies involved in criminal justice are properly resourced. We have been working to achieve this through supporting a prison building programme to ensure that when people are convicted, they will serve their sentences. There has also been a substantial investment in the courts infrastructure.

Last year, for the first time, my predecessor set priorities for the Garda Síochána under the provisions of the Garda Síochána Act 2005. As mentioned earlier, I am at present finalising the priorities I will provide to the Garda Commissioner for 2008. In the time remaining I want to inform the House, in the context of taking into account its views, of some of the priorities I have in mind. Of their nature, these will build on the priorities which have already been set for this year.

A major priority of the Garda Síochána is tackling gun crime, organised crime and drug trafficking. It does this through the use of specialist units and targeted operations such as Operation Anvil. The priorities will emphasise the importance of profiling, intelligence gathering and threat assessments in regard to the individuals and groups involved in this type of crime. I intend to include in the priorities a specific reference to enhanced liaison arrangements between Garda divisions and the Criminal Assets Bureau in the pursuit of those engaged in drug dealing at all levels. As matters stand, profilers trained by CAB are now present in every Garda division. The message should be clear — drug dealing by anybody on whatever scale is unacceptable and will be pursued. In addition, I propose to set a priority relating to enhanced activities by the drugs units and the force in focusing on locations throughout the country where the presence of drug dealing and the consumption of illicit drugs is likely.

Another priority will be in the area of public order, with which I have dealt at some length already. The Garda will be asked to co-operate with other agencies and the community generally in combatting the problems of public disorder. It will be asked to pay particular attention to alcohol-related misdemeanours, including under age drinking. It will do this partly through using the new legal mechanisms being made available, including anti-social behaviour orders, ASBOs, and behaviour warnings.

On the subject of ASBOs, I want to respond to some inaccurate conclusions which have been drawn from the fact no ASBOs have yet been

applied for by gardaí. The regime, which was introduced just last spring, involves a series of procedures including behaviour warnings and, in the case of children, good behaviour contracts. In setting up the regime, the intention was that these warnings or good behaviour contracts would themselves address the problem behaviour. It is only if they fail that an ASBO will be applied. In any case, it inevitably takes time to reach the stage where an ASBO itself might be sought. Some hundreds of warning notices have already been issued. Where these do not succeed in altering a person's behaviour, they will culminate in ASBOs being sought by the Garda from the courts.

The priorities will also seek to increase significantly the proportion of gardaí on operational duty. This will be facilitated by increased civilian support. An increase in the level of high-visibility patrols will be specified and this will be linked to the development during 2008 of a Garda charter which will set out targeted response times and levels of service.

I propose that a number of priorities will be included relating to the following: the expansion of the juvenile liaison scheme and the increase of the number of Garda youth diversion projects; the monitoring of sex offenders; the combating of homophobic and race crimes; co-operating with the newly established domestic violence executive agency, COSC, in curbing the problem of domestic, sexual and gender-based violence; the targeting of the use of knives in violent attacks; and the taking of measures to deal with human trafficking. Other priorities will cover areas such as road traffic law enforcement and immigration, which are not directly related to this debate but which fall within the operational province of the Garda Síochána. I want to make it clear that the overall priority of the Garda in dealing with crime is the enforcement of the criminal law. No significance should be read into the non-inclusion of particular types of crime in the priorities. However, we must be conscious that setting too many priorities carries with it the danger in reality of setting none.

In the time available, I have only been able to set out some of the issues that arise in regard to crime. We need to bear in mind that some of the crimes which receive most public attention because of their seriousness are not the types of crime which impinge most on the daily lives of people. This is why, day in, day out, resources must continue to be deployed to deal with crime in all its manifestations. Our criminal justice system exists to serve all the people and to keep them and their property safe.

I look forward to a constructive debate. I congratulate Deputy Charles Flanagan and Deputy Pat Rabbitte on their appointment as spokespersons. No doubt, they will hold me to account in the weeks, months and possibly years ahead. I look forward to taking the points of view of all

Deputies contributing to this debate fully into account.

Visit of New York State Assembly Delegation.

Acting Chairman (Deputy Seamus Kirk): Before I call the next speaker, I wish on behalf of the Ceann Comhairle and Members of Dáil Éireann to offer a céad míle fáilte and most sincere welcome to a parliamentary delegation from the New York State Assembly and Senate American-Irish Legislators Society, led by the honourable Ms Margaret Markey. We hope you will find your visit enjoyable, successful and to our mutual benefit.

Tackling Crime: Statements (Resumed).

Deputy Charles Flanagan: I am not sure if it is in order for me to join the Acting Chairman in extending a welcome to our visitors. This debate might be of great interest to them and, as legislators, we too might learn significantly from the manner in which crime, organised crime and gun law are dealt with in New York State in very difficult circumstances.

I thank the Minister for his personal comments on my appointment. I trust we will have a constructive relationship in the next few years.

I am pleased we are having this debate on crime and its threat to society but it is no coincidence it takes place in the second week of the Dáil session. It would not be happening if it were not for the dreadful incident in Dublin last week involving the shooting of a garda in the course of his duty, which underlined the serious threat to society we face on a daily basis.

As legislators representing all the citizens of this Republic, we have a solemn constitutional duty to the people of Ireland to take all appropriate steps to end criminality and ensure that people can live and work in safe, crime-free communities. In the complex society which characterises modern Ireland, crimes take place in multiple locations — from housing estates where criminal gangs establish their headquarters to the school gates where drug pushers daily target our children. The criminal justice system, therefore, must no longer be regarded as the sole preserve of the organs of State and tackling crime on our streets can no longer be regarded as a job exclusively for the Garda Síochána. The new and radically changed Ireland needs a new and radically changed approach towards crime and criminality.

The criminal justice system must be seen as embracing a set of shared responsibilities for communities, local authorities, businesses, schools, voluntary groups and parents. The primary duty of the criminal justice system is to enable law-abiding citizens to live in safety. In modern Ireland, a fundamental question has emerged — how can the justice system balance both liberty and security? Occasionally, the balance of these competing interests of security and liberty tilt and change depending on society

and its needs and priorities. We urgently need to address this balance at this point.

The unacceptable face of Celtic Tiger Ireland reveals a society where our elderly citizens are terrified in their homes, men and women alike are afraid to walk the streets at night, our children can obtain drugs freely in any school yard in the country and we have seen the emergence of drive-by shootings, tiger kidnappings and callous contract killings. Homes and business premises are burgled daily and bags are snatched in broad daylight to feed the drug habits of the thousands of heroin abusers who shoot up in public places with careless abandon. Last week, the media reported that one of the country's largest drug dealers had made death threats to a 16 year old schoolgirl after she was caught with €50,000 worth of rock heroin she had been storing for him in the wardrobe of her bedroom. The gang boss in question, who is currently in Spain, has threatened to murder the schoolgirl unless he receives €50,000. This is one of the sad realities of crime today.

In modern Ireland our sophisticated criminals travel abroad for practice and training in the most sophisticated firearms known to the world. The head of the Criminal Assets Bureau, Superintendent John O'Mahony, is on record as stating recently that it is only a matter of time before the ruthless foreign national groups begin operating here. Foreign criminal gangs may have already established a foothold in this city and jurisdiction.

On an all too regular basis, guns and drugs are being smuggled hand in hand into the State along the coastline. Among the weapons of choice favoured by the criminal fraternity are sawn-off shotguns and AK47s, a number of which were recently seized in Dublin, Limerick and on a halting site in Ballyfermot. The prevalence of guns has sent the murder rate soaring. Some victims have been specifically targeted while others, including Donna Cleary and Anthony Campbell, have been innocents, victimised by criminals and failed by the State. Their killings were greeted with the same pathetic refrain that they were in the wrong place at the wrong time.

In modern Ireland crime takes place at many levels. It is not just criminal gangs wielding sawn-off shotguns. A proliferation of public order offences means that decent people are also threatened by countless petty criminals, drunken yobs, juvenile delinquents and mindless vandals who stalk the streets day and night with no regard for order or the rule of law. These petty criminals are a menace to society. Alcohol-fuelled thuggery is a major problem which requires action of an urgent nature. It is well past time that the Government faced up to the reality of criminality.

While I accept that the current Minister for Justice, Equality and Law Reform has not been in the job very long, the Government has, for too long, buried its head in the sand, accusing the Opposition of scare-mongering when legitimate concerns were raised about spiralling crime and

[Deputy Charles Flanagan.]

the breakdown of civic order. The infamous words, in response to a specific crime, that it constituted the last sting of a dying wasp were said by the Minister's predecessor more than two years ago. Far from the criminal gangs being eradicated during the past ten years of Fianna Fáil-led Governments, we have reached the point at which a garda, attempting to stop a stolen vehicle in broad daylight in the capital city, was shot in cold blood. I hope this heinous crime will be the catalyst to shake the Government out of its slumber and force it to face the facts.

Last year was the bloodiest and most violent in the history of the State. The most recent figures indicate that 66 homicides — one death every five days — took place in 2006. Serious assaults have increased to ten violent attacks every single day. Since the Fianna Fáil and Progressive Democrats parties took office in 2002, well in excess of 500,000 serious crimes have been committed. Armed robbery has increased by 70% and gun related crime by more than 50%. Of the €400 million worth of property stolen, a mere 5% has been recovered.

The solution does not lie in the creation and maintenance of a repressive police state or "Big Brother" society or in restricting freedom. The law must, however, protect law-abiding citizens rather than criminals. While criminal gangs thrive, law-abiding citizens are threatened. In the debate on liberty and security, the balance between the two must be struck in the best interest of society and the overall public good.

After the tragic murder of Veronica Guerin in 1996, the State declared war on criminal gangs and established the Criminal Assets Bureau which quickly achieved many successes. The time has come for a similar new departure by the State. What is needed at national level is joined-up thinking across State agencies and Departments and a significant investment in resources, particularly in terms of manpower and state-of-the-art technology for the Garda Síochána. While the force continues to struggle with outdated radios, a lack of real-time information and a shortage of bullet proof vests, our sophisticated and well-resourced criminals will continue to have an advantage.

A recent article in the *Garda Review* will, I am sure, have been brought to the Minister's attention. I do not have time to cite it at length but it offers a shocking indictment. It notes, for instance, that whether a garda is equipped with a digital radio in the centre of Dublin depends on which side of the River Liffey he or she is standing because communications between the north and south sides of the city are not possible. I will, at the earliest opportunity, revert to issues such as gardaí using their personal mobile telephones and cars for business purposes.

On the matter of Garda resources, I very much welcome the presence in this State of Kathleen O'Toole, Chief Inspector of the Garda Inspector-

ate, and acknowledge the significant contribution she has already made in the form of the recommendations made in her first three published reports. As chief inspector, Ms O'Toole offers us her unique experience as a former Boston Police chief. She also brings with her an objective, expert view on how to address matters. When she speaks or highlights how a scandalous lack of up-to-date resources is putting gardaí at a significant disadvantage in their efforts to tackle criminality in communities, the Government must sit up and listen.

While the main focus of the debate on the Garda in recent years has been on numbers, particular focus must be placed on resources and modern equipment for those currently serving in the force. In Ireland, as in the rest of the world, a small number of repeat offenders commit the vast majority of serious crimes. For this reason, gardaí need to have access to technologies which would allow them to identify, monitor and track these career criminals.

I give a commitment from the Fine Gael benches that my party will co-operate with and give every possible support to the Minister in efforts to tackle crime and make our streets safe. Measures must include resourcing and legal reform, from the housing estate to the prison cell. In offering the support of Fine Gael to the Government, I ask in return that the Minister set himself specific targets and report to the House on a quarterly basis on progress on the many initiatives needed to bring about a change for the better.

We must consider a radical extension of summary powers of the Garda Síochána to tackle the criminals head on. A more visible Garda presence is needed in our towns, villages and urban centres. The recently established local authority police committees should be expanded nationwide. I welcome the Minister's comments in this regard and hope his initiative will bear fruit in early 2008. Juvenile liaison schemes have been useful and successful and must be beefed up and expanded. We must also take greater preventative measures by assigning greater resources to youth work initiatives and early intervention programmes for young people at risk in crime-ridden communities. In this context, money seized by the Criminal Assets Bureau must be ring-fenced and ploughed back into vulnerable and disadvantaged communities.

The introduction of a national scheme of identity cards using biometric technology needs to be assessed and progressed. This and initiatives such as the creation of a DNA database must be considered in the context of the balance between liberty and security to which I referred.

Mandatory sentencing in the criminal justice system must mean exactly that, particularly in the area of drug crime and firearms offences. All too often, this has not been the approach adopted in the courts. While I accept that section 33 of the Criminal Justice Act 2007 may help, its appli-

cation needs to be closely monitored. I fail to understand the reason mandatory sentences are not imposed regularly when this House has enacted legislation requiring the courts to apply mandatory sentences.

Tackling criminality should use a multi-stakeholder approach involving communities, local authorities, the business sector, schools, parents and voluntary groups. A revamped witness protection programme is urgently needed and must be placed on a statutory footing at the earliest opportunity. We need mandatory sentencing for a wider range of drug offences. Anyone handling a gun illegally should be given a minimum five-year sentence.

We need to examine the matter of legally held firearms in the State, recently extended in respect of airport authorities. There must be a clear onus on the licenceholder to act responsibly at all times and to understand the circumstances under which the licensing has taken place, to whom and for what reasons the licences have been issued and what checks will be made by the Garda Síochána to ensure the safe and careful use of the firearms. Stolen shotguns play a significant part in criminal activity. They are being stolen on a regular basis and I hope we will exercise more care in the manner in which dealer licences are issued.

Automatic releases and early remission of prison sentences should be curtailed. Anyone seeking remission should earn it through circumstances laid out clearly at the earliest opportunity after sentencing. Drugs in prison must be eradicated. The notion that crime bosses continue to operate criminal gangs from their prison cells with mobile telephones and modern communication systems is an affront to the concept of law and order in society. Where I live in Portlaoise is 150 m from two of the busiest and largest prisons in the State. I urge the Minister to visit both prisons to see at first hand the difficulties experienced in running modern prisons in Irish society.

Deputies must do all we can to ensure consistency and transparency in sentencing and the Judiciary must play its part. I hope that the setting aside of time to discuss the urgent need to tackle criminality represents a crossroads in terms of the Government's willingness to take on the growing crisis facing the State. Criminals are more sophisticated than ever and criminality has permeated every level of society. The State must respond in an equally sophisticated and multifaceted manner. Fine Gael is willing to support the Minister should he mount a widescale counter-offensive to tackle criminality and restore our civic society to one in which criminals fear the law rather than one in which the citizenry fears the criminal fraternity.

Deputy Pat Rabbitte: The deliberate shooting of a garda has caused widespread concern. The casual recklessness of last week's murderous attempt on the life of a member of the Garda Síochána is an assault on the democratic insti-

tutions of society. The murderous recklessness that led to the deaths of innocent civilians Donna Cleary and Anthony Campbell has caused alarm to many citizens. It is a measure of the worsening climate of unlawfulness and wanton violence that these things have come to this pass.

Thinking people are properly outraged when the impression is given in some quarters that so long as gangland figures are only killing each other, there is no acute cause for concern. Some people on this side of the House who warned of complacency leading to the shooting of an innocent civilian were ignored, but so it transpired. Few of us foresaw such a descent into violence that an unarmed member of the Garda Síochána would be the victim of a casual daylight shooting. Thankfully, Garda Paul Sherlock has survived, but the incident means the Government can no longer claim that concern about crime is exaggerated.

The Government is not alone in falling back on that argument. While most commentators who make similar claims are well intentioned, they are generally convinced that all crime is the product of disadvantage and inequality. All of the evidence indicates a definite connection between poverty and disadvantage and resort to criminal activity, but it is also apparent that the most serious criminal behaviour in today's society has little to do with social conditions and is concerned with the enormous profits to be made from criminal endeavour, in particular the trafficking of drugs.

It should go without saying that it is the duty of Government to address the causes of crime, but this does not remove the imperative to protect our citizens on the streets and in their homes. People living in the poorest areas of urban Ireland suffer most from the breakdown of law and order. The people besieged in their own homes by young thugs are the old and the vulnerable. People who are afraid to venture outside their homes or who are afraid to walk the streets at night should not be required to wait until the Government has sufficiently improved social conditions before they experience some improvement in their quality of life.

Life as it is lived in some of our most difficult estates is an unknown for many well-intentioned people who write about crime. People are deliberately targeted for persecution because they are vulnerable. Their property is damaged and they are deprived of the enjoyment of their homes. Often, they cannot get a garda when needed, nor can a garda be stationed at every corner. The areas worst afflicted are often the areas least policed. Society must accept that those who choose to disobey the laws of the land — their crimes, the pain they inflict and the damage they wreak on their own environment — threaten the rights and security of every citizen.

I was interested to read yesterday that the Catholic Archbishop of Dublin, Dr. Diarmuid Martin, returned to his theme that violence in

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society may only be overcome by “the mobilisation of communities”. He is correct that it is in places where society does not function adequately that anti-social behaviour finds its breeding ground. However, until such communities are rebuilt, the practical and unnerving reality is that people who would seek to lead the mobilisation would be putting themselves, their families and their property at risk. I do not disagree with the Archbishop that law alone will not set standards of behaviour, but it is not immediately clear to me how vulnerable, broken, disadvantaged and imperfect communities can rise up against those dictating criminal activity without considerable support from the State.

Part of State support for these damaged communities must be improved community policing, namely, gardaí taken from behind their desks to police communities they know and people they should get to know. I welcome the Minister’s reference to the recruitment of additional civilian staff, but the civilianisation programme of the Garda has been a complete failure. During the last Dáil, a report prepared by experts for a trade union showed that not a single garda was taken from behind a desk and put into the community. Civilianisation has become the recruitment of additional civilians as distinct from putting gardaí tied up in pen-pushing duties into the community.

Given the great need for genuine partnership with the community, we must ask why there is such official resistance to proper community policing. The evidence is that where genuine community policing has been tried with the endorsement and support of senior gardaí, it has been a very considerable success. Despite the evidence, the official culture regards community policing as an add-on and concession to community and public pressure. Privately, the official view is that community policing is a soft, liberal, outdated and unworkable concept. Of course, those who comprise the official view have never lived in damaged communities themselves. The truth is that they do not know what daily life is like in communities that are terrorised by crime.

The problem is not just the corrosive impact of gangland feuds but the everyday experience of petty vandalism, intimidating youths and destruction of the local environment. In certain communities, old people must stay indoors, women are fearful walking the streets after dark and people who live alone or are different or vulnerable fear being targeted by youths who are out of control. In its most extreme manifestation, anti-social behaviour can lead to serious injury and, as in the tragic case I saw first hand in Clonmel last spring, even death.

Ronnie Flanagan once said that policing was too big to be left to the police themselves. Reforms were extracted in the last Dáil from a reluctant Government. The former justice Minister, Michael McDowell, may have been better disposed to reform than the establishment in the

Department. The reforms won were less than perfect, however, and it is too early to say what impact they will have. I approached the former Minister with the idea that we should establish at local authority level local policing committees before which senior gardaí would be publicly examined in council chambers on policing effectiveness by a small number of public representatives who would develop some expertise in the area. The then Minister became persuaded of the idea, was generous enough to say in public where it came from and gave effect to it in his own way. The committees are not yet operational and will, when implemented, prove to require some adjustment.

The major reform of which we did not persuade the Minister was the need to provide for civilian oversight of policing in the shape of a Garda authority. It was interesting to hear Denis Bradley’s views in evidence to the joint committee on the reform proposals. He said:

Having looked at the Bill and had discussions with the Minister, I have two difficulties. One is that there is no police authority between the Department of Justice, Equality and Law Reform and the appointment of the Commissioner and senior Garda officers. The Conroy report of 1968 pointed out that this was not good for policing. Our experience in Northern Ireland is that having a political but also independent group of people acting rationally together as regards those senior appointments creates a distance between government and the police and this is something the police become extremely comfortable with after a period.

I was interested to note that in one of his first actions on becoming Minister for Justice, Equality and Law Reform, Deputy Brian Lenihan availed of a platform in July at the McGill summer school to rebut the notion of a Garda authority as advanced by the Labour Party. In an outburst of populism, the Minister said he was very concerned about the extent to which Government was hiving off responsibilities to agencies of State thereby allowing it to “abdicate responsibility”. It is a view with which many of us would agree. The Minister was very slow, however, to advance the examples he had in mind. The significant problem with the new quangos lies in the absence of accountability to the House through the Minister. While the Minister received good publicity from his remarks, it is not clear what meaning they had. Did he mean the Courts Service should be abolished and that the courts should once again be run as a branch of the Department of Justice, Equality and Law Reform? Does the Minister think that plans in train to establish an independent Prison Service should not go ahead? There did not seem to be anyone present at the summer school with the knowledge to ask the Minister these questions.

The last Minister was given to provoking the public and Garda. When frustrated that he could not catch criminals, he expressed the intention to get his hands on the Opposition. We now have a Minister who has a far more soothing approach and will go forward on the basis that he feels our pain and will pour treacle on all these issues. The fact remains that the Garda Síochána is maintained within the Department of Justice, Equality and Law Reform precisely to ensure that there is no public responsibility for its current operations or future. An independent Garda authority, representative of civil society, is needed to introduce an efficient, transparent regime of openness and accountability which is completely lacking currently. Direct responsibility to the Minister of the day is the single greatest roadblock to a reform package for the Garda.

The Minister said in Donegal: "I cannot be left as the Minister for Justice in a position where I have to beg the chairman of an authority to urge the Garda to take a particular course of action". How many times have his predecessors responded — and how often does he expect in future to respond — to particular crises by claiming the Garda has operational independence and is not subject to ministerial direction or control? How many parliamentary questions will the Minister refuse to answer on the basis that he has no official responsibility for the operations of the Garda Síochána? Responsibility to the Minister of the day is claimed as an essential democratic bulwark by Ministers only when they argue against establishing a new police authority with a clear mandate for oversight and change. Such responsibility, however, is absolutely denied by precisely the same Ministers when public representatives seek answers on issues of profound public importance.

It is clear that a radical reorientation of the Garda will not be delivered by the force itself or by the Department of Justice, Equality and Law Reform whether acting in concert or isolation. I am convinced that transparent, accountable policing in partnership with local communities must be matched at national level with meaningful and appropriate civilian oversight of the Garda. An independent Garda authority would drive the agenda for reform and ensure measures were implemented rather than put on the long finger. An independent authority would have a clear remit and inject professionalism and modernism into a force which has served the country well but requires nevertheless to be updated. These goals can only be achieved by speeding up the pace of reform within the Garda which must become a modern, effective police service with a commitment to community policing, modern management and proper systems of accountability. The representative bodies within the Garda are beginning to recognise the need for change and have given a guarded welcome to the call for an independent authority. The Minister

and his officials are now alone in resisting the demand for change.

I have avoided in my remarks resorting to statistics to support my arguments because real people in real communities are not concerned about statistics. They are concerned about the breakdown of law and order, the coarsening of Irish society, living in a country where thugs in broad daylight can casually use a shotgun on an unarmed garda, that innocent citizens can be the accidental victims of gangland feuding, that so many of our young people are being poisoned by drugs and at the destruction of the local environment. In any event, people do not believe the statistics. The scale of non-reporting of petty crime is growing every week because the victims cannot see the point of reporting incidents to the Garda. In brief, while statistics are falling, fear of crime is rising.

There is, however, one statistic which cannot be ignored. The casual taking of human life has become commonplace. The past two years were the worst in the history of the State for gun murders, as the Minister admitted in today's *Irish Examiner*. A total of 27 gun murders were committed last year and 21 in the previous year. The reason we cannot ignore these statistics is because the evidence shows the new breed of vicious criminal responsible for these gun murders believe they can escape detection. The former Minister provided figures which revealed convictions were obtained in 16% of the recorded gun murders over the past ten years. For example, of the 21 gun murders in 2005, only four were regarded as having been detected. The new breed of vicious criminal concludes from these statistics that if he or she kills or orders the killing of others, there is little chance of facing prosecution and even less chance of being convicted.

The Garda must be resourced and organised in a fashion that puts this generation of criminal gangs out of business. The new Minister must introduce legislation to put the witness protection programme on a statutory footing. A statutorily-based witness protection programme must be an essential element of the Garda response to the changing nature of crime, organised crime, gang warfare and drug trafficking. We must also have regard to the views of the Supreme Court and Special Criminal Court in that regard.

I accept that fighting crime is a complex process with no single answer but a firm determination is needed to deal with the problem effectively and with toughness. We will get the opportunity on another day to discuss the causes of crime but regardless of our analysis of causes, in which regard a look at the addresses of those in Mountjoy would be telling, it cannot deflect society from a determination to ensure crime is properly punished. We must stand with the individuals and families who have been victims of crime by supporting their entitlement to personal safety and safe communities. Ten years after the humbug of zero tolerance was exposed as a gim-

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mick, our law-abiding citizens are not guaranteed such a basic entitlement.

Deputy Aengus Ó Snodaigh: Ba mhaith liom buíochas a gabháil as an deis labhairt ar an ábhar seo. Tá mé ag labhairt ar an ábhar seo are feadh blianta anuas. Is maith an rud é go bhfuil ráitis are siúil seachas reachtaíocht mar uaireanta bíonn muid ró-ghafa le reachtaíocht. I hope this debate will result in effective action rather than rhetoric so that we do not end up with the usual posturing and calls for more gardaí or legislation. We need to use the Garda Síochána effectively and, rather than a raft of new laws, existing laws should be better targeted. We have enough on our Statute Book to deal with the major crisis our society is facing.

Tugaim féin agus tugann Sinn Féin tosaíocht do shábháilteacht an phobail. Ní gá dom ach mo theach a fhágáil maidin ar bith agus feicfidh mé, agus a lán Teachtaí eile sa Teach seo, áiteanna a bhfuil drugaí ndíol go hoscailte iontu, áiteanna a raibh círeib nó a leithéid iontu ag an deireadh seachtaine nó an oíche roimhe. Feicimid go díreach cad é tá ag bualadh an phobail lá i ndiaidh lae. Caithfidh anois, agus an deis againn sula n-éireoidh sé ró-dhona, déileáil i gceart leis agus sin an fáth go bhfuil mé ag gníomh de réir briathra na dTeachtaí sa Teach seo, seachas an gnáth-rud a bhíonn ann le linn ráiteas, raiméis gan aon ghníomh ina dhiaidh sin.

In order to effectively deal with gangland crime, we must resolve the drugs crisis. The size of recent drugs finds should be a signal to us of the scale of the problem. Recent finds have included: seven bales of cannabis recovered from the sea off the west coast; cocaine worth €200,000 in County Kildare; heroine worth €2 million and €200,000 in Clondalkin and Cork, respectively; cocaine, ecstasy and cannabis worth €420,000 in Tallaght; cannabis worth €220,000 confiscated at Dublin Airport; heroine worth €10,000 in Galway; heroine worth €2.4 million in Dublin port; and drugs worth €200,000 in the south-west inner city. It is generally accepted that finds by the Customs and Excise and the Garda account for only one tenth of the drugs trade. Congratulations are due to the Garda, the Customs and Excise and anybody else involved in ensuring these drugs did not reach the streets but nine times that amount get through on a daily basis. The problem is not confined to Dublin city, as some would claim, but has hit every town and village throughout the country.

If we accept the scale of the problem, we have also to accept that the drugs trade is the single biggest influence on crime. Gun crimes, anti-social behaviour, mindless violence and thuggery are often associated with the misuse of cocaine, heroine or alcohol. Intimidation makes people too fearful to walk to their local shops and open drug dealing, muggings and burglaries only add to the problem. If we acknowledge the scale of

this problem, we also have to accept that weapons of every calibre were recovered in the aforementioned drug seizures. The weapons entering the country with these drug shipments are sufficient to prosecute the war that drug barons have been declaring on our society over the past 30 years. Greater awareness is needed, as well as greater urgency in addressing this problem.

Only last month, the State was rightly put on full alert in response to the threat of foot and mouth disease. When that disease last threatened several years ago, we were able to shut down every port in the country and invest additional resources to clean trucks and ensure travellers from various parts of the world were screened. If we were to take the same approach to drugs, we would go some way towards dealing with the huge quantities of drugs which are entering our country. That is a topic of urgency.

We must address the causes for people's involvement in drugs, which are poverty and disadvantage, as well as the results in terms of those who seek methadone and other treatments. I urge the Minister for Health and Children to ensure methadone treatment services are not disrupted by the dispute between her Department, the HSE and pharmacists. If that happens, much greater quantities of drugs will be sold on our streets than is currently the case. Many people who have tried to turn their lives around would end up back on heroin.

This morning I met the Garda inspectorate as part of our efforts to ensure the Garda Síochána tackles crime effectively and it was a worthwhile meeting. Some of the points made in a recent report were very welcome. I take this opportunity to appeal to the Government, particularly the Minister for Justice, Equality and Law Reform, Deputy Brian Lenihan, to ensure the Garda Síochána is given the basic tools with which to tackle crime, for example, a proper radio system to allow communication between gardaí. The radio system in question has been in a pilot phase for far too long. Other countries around the world have been using it for the past 30 years and it should be rolled out immediately. The Government should also ensure the Garda Síochána has cars and other equipment, including mountain bikes, required to deal with crime. The stations from which gardaí operate should also be conducive to good policing.

We welcomed the joint policing committees when they were being set up and would have liked them to go further. We have actively worked in the committees since they were initiated and urge the Minister to roll out all joint policing committees throughout the State. We also urge all Members of this House to play a full role on the committees because my experience to date suggests a very limited number of Oireachtas Members are playing such a role in Dublin. Hopefully the joint policing committees will be rolled out to allow communities to play a role,

have their voices heard and have the Garda act upon their concerns.

The Cabinet yesterday discussed the Government's priorities for a policing plan and we made a submission to the Garda Commissioner in that regard. Hopefully he will take on board some of the points we raised to ensure the Garda Síochána lives up to its responsibilities in terms of tackling drug related crime and anti-social behaviour. We believe the policing plan must reflect the priorities of communities and that it must commit gardaí to working in partnership with those communities. We also feel that there should be a move towards an all-island police service. Communities can influence local policing plans through the JPCs and hopefully this will happen in the near future.

We seek police services, north and south of the Border, that can attract widespread support from the host community. There are areas throughout the State where communities are suspicious of the Garda Síochána, have turned their backs on the force and are afraid to co-operate with gardaí. This issue must be tackled and we must be imaginative in how we achieve this. I have often called, in this House and at the joint policing committee, for the pilot scheme on stopping drug dealing in the Minister's constituency, Baile Bhlainséir, to be expanded. That initiative provided an anonymous phone line, not run by the Garda Síochána, that meant people were less wary of being targeted for trying to rid the community of drugs. This is a major concern because some people who willingly help the Garda Síochána are then targeted by the drug barons and their sidekicks and this discourages others. This matter can be addressed and for a small amount of money the aforementioned initiative could be helpful.

In our submission we made a number of key recommendations on deployment and resourcing priorities and I believe they will help build on the trust, confidence and co-operation required between communities and the Garda Síochána. Simple things, such as gardaí on mountain bikes or targeting hot-spots of anti-social behaviour, will encourage people to engage with the Garda and break the perception that gardaí are unwilling to respond or will only sit in the station or in their cars.

The bulk of the recommendations in our section were based on a large piece of research we conducted in the first few months of this year surveying households across Dublin. The findings were similar to those of other surveys carried out by national newspapers and others. We found that more than one third of respondents identified drug abuse, drunk and rowdy behaviour, threatening and intimidating behaviour, discarded needles and syringes and drug dealing as serious problems in their communities.

Some 52% of respondents were personally affected by anti-social behaviour in the past 12 months, yet only 60% of them reported the

matter to the Garda Síochána. I found this part of the survey most disturbing. Many of those who reported the incidents to the Garda Síochána felt that they received no clear response, that there were lengthy delays or that a lack of interest was shown. They complained that sometimes gardaí failed altogether to respond. Many Deputies will know of constituents with similar experiences. This all fosters low public expectations of the Garda response and makes people less likely to contact the Garda again.

We asked how the Garda Síochána should tackle crime and anti-social behaviour and build community response. A common suggestion in Dublin among the almost 1,000 respondents was that gardaí on foot patrol, youth liaison officers, community gardaí and gardaí on bikes rather than in patrol cars and vans are needed. Greater visibility of gardaí is required.

We request that resources be made available to allow gardaí to get back on the street and win community confidence. We also seek extra resources to be dedicated towards the Garda drugs unit to help tackle the biggest cause of crime in our society. Drug barons and dealers have declared war on society.

Deputy Seán Barrett: On a point of order, I believe that Deputy Peter Power has ten minutes to speak, but that is somewhat pointless if it means we are to revert to another speaker with only a minute left. Does the Acting Chairman see my point?

Acting Chairman: Has the Deputy a suggestion for the House?

Deputy Olivia Mitchell: Can we give Deputy Power an extra minute?

Acting Chairman: Tá go maith. I see Deputy Barrett's point and it makes sense for Deputy Power to speak for an extra minute as it will allow Deputy Barrett, the next speaker, to begin when we resume. Is that agreed? Agreed.

Deputy Peter Power: I congratulate Deputy Brian Lenihan on his appointment as Minister for Justice, Equality and Law Reform. Most Members of the House will agree it is one of the most onerous Ministries to hold, but I do not doubt that he has the capacity, experience, ability and skill to discharge his duties in this difficult Ministry. I know he will have the support of all Members as he seeks to deal with the difficult issues surrounding crime that face the country.

I take this opportunity, perhaps the last one I will have, to compliment the outgoing Commissioner, Noel Conroy, on his successful tenure as Commissioner of the Garda Síochána. During the years I was a member of the Joint Committee on Justice, Equality, Defence and Women's Rights he always made himself available and gave much time to assist it in its work. He was also

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assisted on many occasions by the incoming commissioner, commissioner designate, Fachtna Murphy. I wish him well in his work over the coming years.

I welcome this opportunity to discuss and make statements on crime. Like others, I welcome the format of the debate, namely, that it is not by way of motion in an adversarial way with accusation and counter accusation. We need to send a clear message from the House, political system and Government to the criminal fraternity and general society that we are united on one element, namely, that we are sending the clearest message to the new breed of criminal, the new crime boss and new criminal gangs who operate here that there is unanimity across the political spectrum that in respect of whatever measures need to be taken we will not be found wanting. As in the case of Northern Ireland policy, there will be cross party unanimity as to what needs to be done to tackle some of the most serious issues. We are dealing with an entirely new breed of ruthless and sophisticated criminal — people who have no respect for the State. A parallel can be drawn between this type of criminal activity and the type of criminal activity practised by so-called republican paramilitary groups in the past whereby these criminals' respect for the State is non-existent and their fear of the State can often be non-existent. We must introduce measures and enforce the existing legislation in a way to reverse that trend that has developed in recent years.

Before dealing with some of the issues it is important to keep a level of perspective on the crime levels facing this country. What has given rise to this debate is the development of serious and unwelcome trends in recent weeks and months in regard to gun crime in particular. That is a worry but we need to keep a level of perspective on it. While one crime is one too many, any interpretation of the crime figures must factor in the increase in population here but also take into account that, by any international standard, crime levels here are relatively low. Serious crime levels here in comparison to other western European countries are low. In 1995, with a population of 3.6 million here there were 28 crimes per 1,000 of the population, while in the UK in the same period crimes per 1,000 of the population were 111, five times the level of crime here at the time. We must keep some level of perspective in all of this.

While crime statistics taken over time are an indication of trends in the crimes committed, we should never lose sight of the fact that each crime is one too many. Crime statistics, of their nature, cannot give a picture of the suffering and damage caused within communities. In that respect, I am mindful particularly of public order offences and anti-social behaviour which, by their nature, tend not to make the headline crime figures but for many people and communities throughout the country, this level of crime can impact on them

more than some of the more serious crimes including that of murder. It sounds a contradiction that a community can be affected more seriously by anti-social behaviour on a Saturday night where windows are broken, elderly people are victimised and people are intimidated than by a murder, but that is the case and we must not lose sight of that.

Gun crime is a cause of concern. Since the beginning of August the Minister pointed out that there were 18 murders and manslaughters. That is not acceptable. There are no depths to which the drug-fueled and ruthless criminals of today, particularly those involved in the drugs trade, are prepared to stoop to avenge slights and enforce their particular brand of authority within their criminal gangs. Therefore, we need to match that with an equal level of determination and ruthlessness to tackle them head on. In that regard, I am mindful of using the most sophisticated methods, including the most modern and technically advanced levels of surveillance. As the Minister will be aware, currently, there is debate in Britain as to the admissibility of surveillance evidence, covert evidence and bugging, electronic and eavesdropping technology. I see no reason we should not examine and use, in so far as it is practical given the costs involved, such modern technology to tackle these gangs head on. While respecting constitutional safeguards which we have always done here, I see no reason we should not use an enhanced level of sophisticated, modern eavesdropping technology on gangs, admissible in court where practicable, to secure convictions of these people who have no respect for the State.

In my constituency in Limerick we have had a particular problem with gangs over a number of years but mostly with gangs centred around certain families in limited areas throughout the city. Despite much media commentary and coverage, the Garda and the organised crime unit at the National Bureau of Criminal Investigation have had significant successes. They need to be complimented on keeping a lid on what could be an altogether worse situation.

The Criminal Justice Act initiated in the previous Dáil in 2006 introduced some new stringent measures in terms of minimum sentencing, firearms control and evidence which are welcome, but I echo what Deputy Charles Flanagan said about the provision of minimum sentencing. It is a seriously worrying trend that the courts are not implementing and enforcing minimum sentences which are laid down by the Oireachtas. The Minister sets out the priorities on the advice of the House and Government. We set out the priority areas that we want to tackle and it is up to the courts to enforce those priorities and the minimum sentences which we set down.

The Minister will be familiar with John Fitzgerald's report which was adopted unanimously by Government, which I wholeheartedly welcome. In it Mr. Fitzgerald suggested that in

order to contain — that is the word he used — a difficult situation in very troubled areas of the city 100 extra gardaí need to be put on the beat immediately. I implore the Minister to make sure that all appropriate resources are made available to make that recommendation a reality in Limerick. In so far as it has been implemented in part already, it has been a success. Mr. Fitzgerald made the point in his report, with which I wholeheartedly agree, that there is no point in the Government expending billions of euro on regenerating troubled parts of our city unless there is matching resources for the Garda to tackle and contain the criminal fraternity and criminal problems which gave rise to those difficulties.

While I said that crimes of anti-social behaviour are not included in the headline figures, collectively, they cause a serious threat to our communities and we need to tackle such crime head on. I welcome what the Minister said about the number of warning notices which have been issued.

I welcome this opportunity to have a seriously constructive and informed debate on this issue. I wish the Minister well in his new job and reiterate that he will have the support of this side of the House in his endeavours to bring forward his priorities and implement them in government.

Debate adjourned.

Sitting suspended at 1.30 p.m. and resumed at 2.30 p.m.

Ceisteanna — Questions (Resumed).

Priority Questions.

Cross-Compliance Regime.

95. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food when she will launch the new cross-compliance regime. [21954/07]

Minister of State at the Department of Agriculture, Fisheries and Food (Deputy Mary Wallace): The position is that the cross-compliance regime has been in place since the introduction of the single payment scheme in 2005. Cross-compliance involves two key elements, namely, a requirement for farmers to comply with 18 statutory management requirements, SMRs, set down in EU legislation on the environment, food safety, animal health and welfare and plant health, and a requirement to maintain the farm in good agricultural and environmental condition.

The cross-compliance obligations were phased in over a three-year period. Eight cross-compliance SMRs came into force in 2005 together with the good agricultural and environmental condition requirements. A further seven SMRs governing food and animal and plant health came

on stream from 1 January 2006. The final three SMRs governing animal welfare were introduced with effect from 1 January 2007.

A Commission report on the application of cross-compliance was presented to the April Agriculture Council and Council conclusions were adopted in June. The following issues were covered in the conclusions, tolerance for minor non-compliance, introduction of a *de minimis* rule for penalties, harmonisation of control rates, advance notice of inspections, reviewing the ten month land availability rule, making better use of the results of existing controls in the context of risk analysis for cross-compliance and phasing in of cross-compliance for new member states.

The Commission has presented certain proposals to the Council of Ministers for amendment of the main EU regulation governing cross-compliance to give effect to these issues. Discussions on these proposals will continue over the coming months and any changes adopted will not come into effect until 2008.

In the course of the discussion on the Commission's cross-compliance report, the Commission has given certain clarification on the current control requirements and these have been reflected in our inspection arrangements this year. My Department is now finalising procedures for the remaining phase of the 2007 cross-compliance inspections and my officials will meet the farm bodies on this matter very shortly.

Deputy Michael Creed: My question asking when the new cross-compliance regime would be introduced was quite straightforward, but the reply is anything but straightforward. The Minister can offer no clear guidance to farmers as to when a new regime will be introduced, which flies in the face of commitments given the length and breadth of the country during the general election campaign. Fianna Fáil candidates made a commitment then that the 66-page Department document, which is not an EU document, would be shredded——

Deputy Mary Coughlan: The Deputy is behind the times as usual.

Deputy Michael Creed: ——and that the 1,600 questions therein would no longer be the blueprint against which the farmers would be assessed with regard to cross-compliance. I remind the Minister that the experience of farmers on cross-compliance is not a happy one. In 2006, approximately 2,000 farmers were found to be in breach of regulations and, of those, 1,300 paid penalties. When will the Minister live up to the commitments given and put a timeframe on when the new cross-compliance regime will be in place? Will she guarantee here that the Government and the EU Commission will commit to a 14-day notice of inspections?

Deputy Mary Wallace: We are all in favour of a 14-day notice of inspections, but it has not been agreed at EU level.

Deputy Michael Creed: Who is against it?

Deputy Mary Coughlan: The Commission.

Deputy Mary Wallace: The Minister is fighting the issue at every opportunity, including at the last April and June Council meeting, and she specifically included point 14 on the practicality of the advance notice. This was pursued again at the July meeting. She has pursued the issue monthly in her direct contact with Commissioners as well as raising the issue at Council meetings.

The 66-page document mentioned by the Deputy is gone and the application procedure has been simplified.

Deputy Michael Creed: What are inspectors using?

Deputy Mary Wallace: The document I have in hand is a six-page explanatory document which was sent to every farmer in the country a month ago and all farmers should have it.

Deputy Michael Creed: What are the criteria with which farmers must comply now? They had some information when we had the 66-page document, but now they are operating in a vacuum. We need the new regime and to know the obligations.

There is a grey area in respect of farmers who are REPS compliant. They may be compliant with the REPS plan, but may be obliged to meet other criteria under the cross-compliance regime. If farmers uphold the regulations on the REPS plan, which is a document approved by the Department and passed by an inspector, surely they will not be required to comply with an additional layer of environmental obligations. Will the Minister of State clarify that the new regime will address that issue?

Deputy Mary Wallace: With regard to REPS and the various schemes in which farmers are involved, it is important that people are aware the sectoral legislation, whether dealing with feeds, foodstuffs or whatever, will always take precedence over cross-compliance. It is important to take note of the basic scheme. The Deputy should obtain a copy of this six-page document — we can give it to him — which has been provided to farmers. The document explains the process to farmers and we hope it will make matters simple for them.

On the issue of penalties, many of them are related to tagging issues which can be resolved in a straightforward manner by farmers.

Food Labelling.

96. **Deputy Seán Sherlock** asked the Minister

for Agriculture, Fisheries and Food if she will amend legislation to ensure that foodstuffs of foreign origin cannot be labelled as produced in Ireland, processed in Ireland or sourced and produced in Ireland; and if she will make a statement on the matter. [21952/07]

Minister of State at the Department of Agriculture, Fisheries and Food (Deputy Trevor Sargent): Ar dtús báire ba mhaith liom comhbhrón a dhéanamh leis an Teachta Sherlock ar bhás a athair. Laoch uasal amach is amach a bhí ann. Ag an am céanna, déanaim comhghairdeas leis agus leis an Teachta Creed as a gceapacháin nua. Beidh mé ag éisteacht go géar leo.

The Minister for Health and Children has overall responsibility for the general food labelling legislation. Responsibility for enforcement of labelling legislation rests with the Food Safety Authority of Ireland, FSAI, through its service contracts with my Department, the Department of Communications, Marine and Natural Resources, the Health Services Executive, local authorities and the National Consumer Agency.

The issue referred to, where a primary product can enter Ireland and be processed in some way, thereby allowing it to be branded as an Irish product, is known as “substantial transformation”. This terminology originates in EU legislation governing the EU customs code and, therefore, can only be amended at EU level. I have been concerned that this arrangement could, in certain circumstances, be used to mislead the consumers as to the origin of the raw materials used in certain products. I am not satisfied with the current legal position and the Minister has raised our concerns at EU Council level.

The EU Commission is currently reviewing the whole area of food labelling and in that context the Department contributed to Ireland’s submission, which was co-ordinated by the Department of Health and Children. In its submission, Ireland again raised the matter of the unsatisfactory nature of the concept of substantial transformation and the possibility of it being used to disguise the origin of products from the public.

I will continue to press for progress as I believe consumers are entitled to full information and clarity on the origin of food products. The concept of substantial transformation needs to be more clearly defined and I will continue to urge the Commission to address this problem.

Deputy Seán Sherlock: I raised this question in the context that Ireland has up to €8.1 billion in food exports on an annual basis. Recently we saw that approximately 1.3 million tonnes of pigmeat are imported from outside the EU into Ireland and then branded and packaged here. My question is based on the fact that Irish pig producers are rapidly going into decline because long-established brands are being marketed in such a way as to give the impression that they use Irish pig meat. The European Union is currently reviewing

the conditions and I understand the issue may be only within the competence of the Union. However, the Government has a certain responsibility in the issue. If there is no provision in our law to amend legislation, I call on the Government to ensure that labelling, through marketing and Bord Bia, is done in such a way as to ensure that where a consumer purchases a product perceived to be Irish, a clear label is attached to the product attesting to that fact. This has serious implications for pig producers and I ask the Minister of State to clarify whether the Government is making provisions in that regard.

Deputy Trevor Sargent: I agree with the Deputy. His concerns have been strongly expressed by me, the Minister and the Department. The quality assurance mark is one area which we will make every use of to ensure marketing is used to the fullest extent within the legislative constrictions which exist. The Minister for Agriculture, Fisheries and Food, Deputy Coughlan, met the CEO of the FSAI ten days ago and stressed this matter, particularly as it related to pigmeat, but also as it related to sheepmeat and poultry, which are also relevant to the changes needed. I remind the Deputy that all of us, the wider public included, have an opportunity, via the FSAI website, to have our say on how changes need to be made to improve labelling to bring it into line with the beef origin rules, which are far clearer than those for pigmeat, as the Deputy mentioned. The deadline for submissions is Friday fortnight, 19 October. I hope everybody gets involved and we in the Department will do everything to impress on the European Commission the need for clear labelling rules for pigmeat so that the consumer is not misled, because I agree with the Deputy that such a thing is happening.

Deputy Seán Sherlock: Is the Minister aware that Galtee Foods in Mitchelstown, a company that has sustained people in the area for many years, recently closed? One of the main reasons is the clear perception among consumers that, though its products were branded as Irish, they were imported and the Galtee brand has diminished in stature as a result. It is a result of a certain degree of Government intransigence on the issue that we now see the demise of a traditional company and the Government needs to do more to ensure the industry, which has sustained many farming families for a long time, is supported.

Deputy Trevor Sargent: I am sure the Deputy understands I cannot refer to any particular company by name. However, the Department has been working strenuously to impress on the European Commission the need to fast-track the necessary changes, on which the health and consumer protection directorate of the Commission has sought consultation in its document Labelling: Competitiveness, Consumer Information

and Better Regulation for the EU. This issue is the subject of consultation and we need as many people as possible to get involved. I am sure the people the Deputy has met will be strident in their advocacy of improvements as well.

I assure the Deputy that the Department is working with other member states and I will meet the attaché from the German Embassy this afternoon to discuss the matter. Ireland and Germany have been to the fore in pushing the European Commission to improve the labelling regulation and we will continue to do so, hopefully with the Deputy's support.

Beef Industry.

97. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the measures she proposes to take to secure the viability of the beef sector here. [21955/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I welcome Deputy Creed back to the House and wish him well. I also welcome Deputy Sherlock and I am sure we will have a very fruitful, professional relationship.

Beef must be considered as one of the most robust and successful Irish export industries. Indeed, in 2006 the Irish beef industry was worth €1.5 billion in foreign earnings to the Irish economy. Ireland is the biggest export supplier within the EU and the largest net exporter in the northern hemisphere. Irish companies are major suppliers across Europe and now have the best portfolio of retail accounts of any food sector in Ireland. This excellent result, which is in line with stated policy for the sector, has been achieved largely by effective marketing and promotion by the industry and by Bord Bia, together with the delivery of a high quality, competitively-priced product.

For the sector to remain viable and move forward it must, however, continue to respond to the challenges it faces on an ongoing basis in a very competitive environment. To assist the industry in responding to the challenges, the development of non-price strategies is fundamental. There is a recognised need to adapt positively and effectively to evolving market demands and consumer trends. To this end, as the Deputy will be aware, a number of policy initiatives and proposals have been developed and enhanced in recent months.

First, I announced my intention to introduce an animal welfare and recording scheme for suckler herds. The scheme aims to encourage and underpin the adoption of high levels of animal welfare and improve the quality of the national beef herd. As the Deputy is aware it was submitted to the Commission for state aid approval, as required under EU law. Consultations are taking place with the Commission with a view to obtaining approval as soon as possible.

Second, I announced in April a capital investment aid scheme for the beef and sheepmeat sec-

[Deputy Mary Coughlan.]

tor designed to support capital investment, which is expected to increase scale in primary processing, increase added value in further processing and improve efficiencies to allow Irish companies to compete internationally. This package will, I am confident, ensure the strategic and coherent development of the sector into the future and ultimately position our producers to avail of export opportunities. This complements and underpins the existing quality assurance schemes, and the advances in breed improvement programmes being developed by ICBF.

Additional information not given on the floor of the House.

Furthermore, to publicise the response of the beef industry to an ever-evolving market, Bord Bia is intensifying its efforts to promote beef over the coming months. The aim is to build on the already well established marketing and promotional activities being undertaken by Bord Bia and the industry. An extensive promotional campaign commenced in September involving 30 supermarkets across 13 European countries in 10,000 individual outlets. In addition, Bord Bia is completing a new Irish beef marketing strategy. This follows consultation with industry as how best to use the promotional resources available over the period 2008 to 2013. I have also established a market access group to focus efforts on the reopening of markets for Irish beef and have been in touch with Commissioner Fischer Boel with a view to the adoption of a more strategic approach to the use of export refunds in the beef sector.

I believe that all these measures, combined with our high levels of food safety standards, will contribute to underpinning the viability of the beef sector and best position it to maintain and improve its competitiveness on EU and international markets.

Deputy Michael Creed: I thank the Minister for her reply and her good wishes. Does the Minister agree that in one fell swoop the initiative she has outlined, which will be recorded in the Official Report, has been undermined by the failure of her Department to support the campaign to ban Brazilian beef from European markets? Her colleague, the Minister of State at the Department of Agriculture, Fisheries and Food, Deputy Sargent, referred to the FSAI on numerous occasions but I remind the Minister of Dr. Wall's statement on the beef industry at the conference of agricultural journalists, to the effect that Irish beef producers need a level playing pitch. We do not have a level playing pitch with regard to Brazilian imports because they are hormone-treated and come from a country that has foot and mouth disease. As a consequence, the USA does not allow Brazilian imports, nor do the Japanese. Why is it that Irish farmers are obliged

to compete against Brazilian imports with their two hands tied behind their backs?

To put money back into farmers' pockets, will the Minister immediately raise the compulsory BSE testing age from 30 months to 42 months? That would put significant amounts of money back into Irish farmers' pockets. Even if it means for once, of necessity, being bad Europeans, will she introduce a national scheme for the labelling of country of origin? It is not good enough that products can come into this country and, as the Minister of State, Deputy Sargent, said, under substantial transformation can fly under a green, white and gold flag. It is not acceptable and I appreciate that the Minister also views it as unacceptable. However, if we are to wait forever for the EU to address the issue, substantial numbers of Irish beef farmers will have gone out of existence. That is the real problem we face because profitability in the industry is the key way of keeping beef farmers on the land and in production.

Deputy Mary Coughlan: When I was first appointed as Minister I was the first, and remain the only, person to raise within Council my concerns about the issues of equivalence and equity.

Deputy Michael Creed: Why did the Minister not support the campaign to stop Brazilian beef?

Deputy Mary Coughlan: One must work within the set parameters. If one wished to ban Brazilian beef one could.

Deputy Michael Creed: I cannot from this side of the House but I would if I was sitting in the Minister's place.

Deputy Mary Coughlan: I must work with the defined regulatory authorities.

Deputy Michael Creed: On a point of order——

An Leas-Cheann Comhairle: There are no points of order during questions.

Deputy Mary Coughlan: I am the only person to have said that on the issue of trade, particularly within the WTO, non-trade concerns are absolutely paramount. I have continued to express grave concerns about unfair competition. I have continually raised with Commissioner Kyprianou many concerns expressed by farmers and in the press, which I have forwarded to him for investigation. Following a recent meeting with the Commissioner he agreed there were shortcomings but said that they were not sufficient to close the trade. I impressed upon him the necessity of returning to that.

Deputy Michael Creed: It is closed to America and to Japan.

Deputy Mary Coughlan: He has confirmed that there will be a further FAO, Food and Agriculture Organisation, mission to Brazil within the next number of weeks and that, on the basis of the outcome of that, he may have to take further action. It is important to mention that we have labelling of beef under the FSAI. I have expressed my disappointment that this has not progressed as well as expected.

Deputy Michael Creed: It is for me to express disappointment. It is for the Minister to do something about it.

Deputy Mary Coughlan: I am the Minister who introduced the legislation. I will continue to introduce further legislation. It is a matter for the Food Safety Authority of Ireland to implement the legislation. I have expressed my concern that it is not being done to the standards I have set.

It is important to note that there are a number of market misnomers. On why the Americans do not import from Brazil, that is a matter for the Americans. The Americans have an agreement with the Mexicans. There are serious issues for Ireland with regard to access to the Japanese market.

An Leas-Cheann Comhairle: We have exceeded the time allowed for this question but I will allow Deputy Creed to ask a brief supplementary question.

Deputy Michael Creed: The Minister's failure to reply on the issue of raising the age of BSE testing speaks for itself. Where is her commitment on the €100 suckler cow grant? The Minister nailed her colours to the mast when she went to the EU Commission and failed to support the IFA campaign to keep Brazilian beef out of Ireland. No amount of weasel words will get away from that. In terms of consumer protection, I remind the Minister—

An Leas-Cheann Comhairle: I would prefer the Deputy to ask a brief question.

Deputy Michael Creed: In terms of protecting the consumer from substandard products, when hormones were legal here, there was a retention period of 60 days before animals could be slaughtered. The regime in Brazil is 42 days. What are Irish consumers who buy this product exposed to?

Deputy Mary Coughlan: Let me tell the Deputy, for his own benefit—

An Leas-Cheann Comhairle: The Minister should tell the House.

Deputy Mary Coughlan: It will be of greater benefit to the House than to the Deputy who does not want to listen to me. A document has been circulated regarding the proposal to

increase the age of BSE testing from 30 months to 42 months, which I intend to implement. I pursued this vigorously with the Commissioner who hopes this will be available in 2008.

On the issue of the suckler cow grant, the matter goes before the EU College of Commissioners on 23 October. Once that has been signed off by the Commission, we will proceed. I refute the Deputy's assertion that by not supporting the IFA, I have undermined the beef industry in Ireland. That is incorrect. I invested in the beef industry, worked with the industry, and I will continue to raise my concerns with the FAO.

EU Restructuring Fund.

98. **Deputy Seán Sherlock** asked the Minister for Agriculture, Fisheries and Food her views on the High Court decision of 14 June 2007 which overturned as unlawful the Government's decision on the way €145.4 million in restructuring aid should be re-allocated following the rationalisation of the European sugar market and the closure of the Mallow sugar factory; if she will introduce a new package; the way same will be structured; and if she will make a statement on the matter. [21953/07]

Deputy Mary Coughlan: The EU regulation governing the restructuring aid required member states to decide on the percentage of the aid to be reserved for beet growers and machinery contractors. Accordingly, following a wide-ranging consultation process and based on the advice of an independent expert, the Government decided in July 2006 that the percentage of the aid to be reserved for beet growers and machinery contractors should be set at 32.38% which equates to €47.1million. Of this, €40 million was for beet growers and the remainder for machinery contractors. The balance of the aid amounting to €98 million was allocated to Greencore. The High Court ruled, in effect, that these percentages would have to be recalculated. Notice of appeal against the ruling has been served.

Last week, the Council of Agriculture Ministers reached political agreement on an amendment to the restructuring aid regulation, one effect of which will be to increase the allocation to the beet growers from €40 million to €52.8 million. This means that the growers' allocation is now assured, at a higher level, regardless of the outcome of the court case. The allocation to the processor will also increase as a consequence of this amendment but the total allocation for the processor depends on the outcome of the legal proceedings.

I should add that separately growers will receive €123 million over the next seven years under the single payment system and €44 million by way of diversification aid from the restructuring fund.

Deputy Seán Sherlock: I preface my question by stating the strong belief within my party that the loss of an industry that sustained many farm families and industrial workers throughout the land for generations was a travesty.

I put it to the Minister that the Indecon report, on which the Government based its recommendations, was incorrect. The Government, therefore, cost taxpayers untold sums of money and put them through the process of going to the High Court which subsequently reversed the decision. It was utterly needless and a waste of taxpayers' money. Will the Minister respond on that issue? The fundamental question is when the restructuring package will be introduced and the growers paid. What level of consultation has there been with growers on the issue? Has there been final and full agreement on the matter?

Deputy Mary Coughlan: The Government's decision was challenged by Greencore.

Deputy Michael Creed: Of which the Minister is a shareholder.

Deputy Mary Coughlan: I am not a shareholder. Greencore sought a judicial review of the Government's decision in the High Court. The political agreement was arrived at last week. It will take some time for that agreement to be finalised. The Department met the sugar growers recently and they are happy, from the perspective of farming here, with what has been agreed. We paid €22 million of the restructuring aid last week. It is hoped, once the Commission signs off, which we expect will happen fairly soon, to pay the additional €22 million. The other aspects will take some time to go through the legal process. As soon as we get notification we will be able to pay. The next due date is spring of next year.

Deputy Seán Sherlock: The Indecon report is important. I want to find out exactly how much the Indecon report cost the taxpayer, how much it cost to go to the High Court. The issue here concerns the public purse and how moneys are expended on behalf of taxpayers. Can the Minister guarantee that Greencore will not challenge this decision which, although it has been taken at a political level, has yet to go through the board of Greencore? It should be stated that the Minister is a shareholder or has a golden share in that company.

Deputy Mary Coughlan: On the issue of expenditure on behalf of taxpayers, the Government decided to get independent expertise. I do not have the costings but Indecon provided the expertise to allow the Government to proceed with the decision it made. That decision was challenged by Greencore. We are now appealing the outcome of that challenge.

On the issue of the amendment to the regulation, both Greencore and the farmers will get

an increase in the amount of money being made available. I can only assume that Greencore will not challenge this. The farmers and the contractors were particularly pleased that they now have a ring-fenced amount and that this increased amount of money will be secure. The Deputy's late father was fairly vociferous on this issue for many years. I agree that it is a tragedy that Ireland had to move out of sugar production. However, it was in the knowledge during the negotiations that we would not be able to continue in a viable way in the sugar industry and the best deal that could be achieved was achieved at local level.

Animal Feedstuffs.

99. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the way she proposes to resolve the problem for farmers of escalating costs of grain-based feeds. [21956/07]

Deputy Mary Coughlan: As the Deputy is aware the Irish feed industry is made up principally of grass-based and grain-based inputs. I fully accept that in the past six months the cost of the grain-based inputs has increased substantially. Irish grain farmers produce approximately 1.7 million tonnes of cereals annually for animal feed. This is augmented by the importation of some 3.1 million tonnes of other feed materials. These imports include protein feed materials such as maize by-products, distillers' dried grains and gluten for ruminant animals. The pig and poultry industry traditionally requires considerable imported consignments of high protein soya and wheat but is now considering importing whole maize because of the price differential with wheat.

There is no doubt that the conditions surrounding the availability and pricing of feed materials have changed dramatically during the past six months. A number of factors have contributed to the rise in feed prices, including the increased demand for feed materials both generally and from the biofuel industry, particularly in the USA and unfavourable weather conditions worldwide which affected many of the major wheat growing regions. The lack of synchronisation between the GM authorisation processes in the US and the EU can also be an issue in certain cases.

Efforts by the feed industry to secure alternative supplies of wheat to compensate for the shortfall caused by weather conditions are hampered by increased demand from the US biofuel industry. While whole maize is considered a suitable substitute for wheat in feed rations, its availability and price has also been affected by the demands of the biofuel industry. In addition, the cost of soya has risen because of consequential increased demand.

The cost of inputs has knock-on effects on the price to be paid by the consumer. I am on record

as saying that consumers will have to pay somewhat higher prices for their food products and producers will have to strive further for efficiency gains. However, I believe cereal production in Ireland and the EU will increase significantly in response to the market situation. This should be facilitated by the availability of set-aside land for cultivation in 2008. I hope also that the cereal producing regions will not suffer the weather conditions that pertained this year.

Notwithstanding the effect biofuels are having on the feed industry, the increased use of maize in the manufacture of biofuel should, in theory, result in increased availability of maize by-products for use as ruminant feed.

Additional information not given on the floor of the House.

However, the practicalities of this are hampered by the lack of synchronisation in the GM authorisation processes used in the US and in the EU. This asynchronisation has caused US exporters and EU importers to act with caution in view of the consequences of detecting traces of EU unauthorised GM events in imported consignments.

Deputy Michael Creed: Is it Government policy, since the arrival of the Green Party in Government and, in particular, the appointment of Deputy Sargent as Minister of State at the Department of Agriculture, Fisheries and Food, to obstruct at every given level the approval regime in Europe of GM modified foods? This question arises out of the Department's recent *volte-face* and abstention on Europe in respect of the approval process on Herculex.

I remind the Minister that this issue has implications right across the agricultural sphere for poultry, pig and animal feeds. There are 7,000 people working in the pig sector, an industry which is worth approximately €0.5 billion. Facts are available to the Minister in respect of the loss to pig producers of approximately €15 per animal. There is evidence of pig producers bringing forward slaughter weights from 105 kgs to 95 kgs and of their not servicing breeding stock because people see no future in this industry.

What faith does the Minister place in the United States Department of Agriculture, USDA, the European Food Safety Authority, EFSA, headed up by Dr. Wall, former head of the Irish Food Safety Authority, IFSA, all of which have given the green light to various GM modified foods? There is a myth surrounding the GM-free issue. Is it not the case that the Irish agriculture sector has been using GM inputs for many years?

Deputy Mary Coughlan: Since 1999, the Government has taken a positive but precautionary approach to the GM issue.

Deputy Michael Creed: Ireland never abstained from a vote on it until June.

Deputy Mary Coughlan: Perhaps Deputy Creed would like to answer his own question.

Deputy Noel J. Coonan: The Green tail is wagging the Government.

Deputy Mary Coughlan: No, it is not.

An Leas-Cheann Comhairle: The Minister is responding to a Priority Question from Deputy Creed.

Deputy Trevor Sargent: The Deputy should listen to the reply.

An Leas-Cheann Comhairle: Please allow the Minister to continue without interruption, please.

Deputy Mary Coughlan: Ireland abstained on the vote in respect of Herculex. I recently advised the House and the media of this.

Deputy Michael Creed: The Minister changed her mind.

Deputy Mary Coughlan: The Deputy will note, if he looks at the result, that one way or another our vote was irrelevant at the time.

Deputy Michael Creed: It delayed the process.

Deputy Mary Coughlan: It was irrelevant. I wish to advise the House that it is anticipated that the Commission will sign-off on the issue of Herculex by next week.

(Interruptions).

An Leas-Cheann Comhairle: The Minister, without, interruption, please.

Deputy Mary Coughlan: We need to move on from the Herculex issue which has been sorted. I also wish to advise, as this matter relates to grain, that the industry is currently sourcing additional feedstocks in the United States on the basis of an expected decision next week.

On the issue of the giving of a green light by the USDA and EFSA to GM modified foods, I agree a synchronisation problem has arisen. This information is contained in the final sentence of my reply to this question. An issue has arisen in terms of synchronisation with the USDA having moved on considerably more quickly than the EFSA.

Deputy Michael Creed: Does the Minister have confidence in it?

Deputy Mary Coughlan: As a consequence, the synchronisation—

Deputy Michael Creed: The Minister is obstructing the EFSA's efforts.

Deputy Trevor Sargent: That is rubbish.

An Leas-Cheann Comhairle: If Deputy Creed will allow the Minister to conclude, I will call him on a supplementary question.

Deputy Mary Coughlan: The Deputy should withdraw that remark as it is factually incorrect. If the Deputy wishes to proceed on questions—

Deputy Michael Creed: The Minister abstained on this issue.

Deputy Mary Coughlan: I did not.

An Leas-Cheann Comhairle: I had hoped to call Deputy Creed on a supplementary question but the time for Priority Questions has expired.

Deputy Trevor Sargent: Deputy Creed is misleading the House.

Deputy Mary Coughlan: Perhaps the Deputy does not know for what the EFSA stands.

Deputy Michael Creed: It is the European Food Safety Authority.

Deputy Mary Coughlan: Exactly. It is representative of all member states. I am not a member of the EFSA and I do not interfere in the workings of the EFSA which provides independent advice to the Commission.

Deputy Michael Creed: The Minister did interfere in the workings of the EFSA.

Deputy Mary Coughlan: I did not obstruct the EFSA in any way. I have pursued the issue and last year and the year before sent officials to the United States in an effort to obtain synchronisation between the USDA and EFSA in order to avoid this chasm of having to wait three years for issues to be dealt with.

An Leas-Cheann Comhairle: That concludes the time allocated for Priority Questions. We will now move on to questions nominated as ordinary questions. I remind Members they have one minute to ask supplementaries and the Minister has one minute within which to respond.

Other Questions.

Grant Payments.

100. **Deputy Deirdre Clune** asked the Minister for Agriculture, Fisheries and Food if she has discussed with the EU Agriculture Commissioner proposals to increase from 5% per annum compulsory modulation; and if she will make a statement on the matter. [21887/07]

Deputy Mary Coughlan: Modulation, the transfer of funds from CAP Pillar One to Pillar Two was introduced by the Agriculture Council

as part of an overall radical mid-term review of the CAP in June 2003. The decision of the Council was to introduce modulation at the rate of 3% in 2005, increasing to 4% in 2006 and 5% in 2007 and every year thereafter to 2012.

There is speculation that the Commission will bring forward proposals in the context of the upcoming health check for an increase in the rate of compulsory modulation. The expected time-frame for the health check is publication of a Commission communication next month with formal legislative proposals in May 2008. Agreement on the overall health check proposals is planned for the latter half of 2008 during the French Presidency of the EU.

I am opposed to an increase in the compulsory modulation rate. My view is that there is a legitimate expectation on the part of farmers concerning single payment rates for the period 2007 to 2013. I believe we should not sacrifice support for Pillar One activities to drive the development of the second pillar. I expressed this view at the recent informal Council of Ministers meeting in September. There is also a net loss to Ireland from modulation as the reduction in direct payments is not fully compensated by the increase in RD allocations.

I will be participating fully in all negotiations on this and other aspects of the health check, when specific proposals emerge. In the meantime, I have been in contact with the Commission and other member states to encourage support for our views on this matter.

Deputy Michael Creed: Members on this side of the House acknowledge and support the excellent work in terms of rural development by organisations such as Leader. However, we do not want to see a situation whereby future funding of Leader organisations and rural development groups will be at the expense of Irish farmers. Effectively, this is what is on the table in terms of health check and the CAP review due to commence in 2008. We encourage the Minister not to yield to the EU Commission on this issue. We will support her in every possible way in this regard.

The value of single farm payments, given that agri-inflation is way ahead of ordinary inflation, has diminished significantly. To take further from that would impact significantly on farmers' incomes. I ask that the Minister hold her ground on this issue to ensure rural development is not funded at the expense of agriculture.

Deputy Mary Coughlan: I agree with the Deputy on this issue. I have grave reservations in respect of an increase in compulsory modulation and I will hold firm on this. I engaged in bilateral discussions on this with my French counterpart two weeks ago and with the Presidency and a number of other member states to impress upon them Ireland's wish not to proceed in that vein. Many of the new member states would like to see

compulsory modulation but I will be holding firm on that issue.

Deputy Michael Creed: What did the Minister's French colleague say to her?

Deputy Mary Coughlan: He agreed with me.

Deputy Michael Creed: There is widespread concern that the new French regime under President Sarkozy may be softening up French farmers for a dilution of the Common Agricultural Policy.

Deputy Mary Coughlan: We had a good and constructive discussion on a number of issues. We will continue to be *ad idem* on many of these issues. I expressed my concerns arising from President Sarkozy's speech and those concerns were also raised by the Taoiseach. We will continue with what we have provided for up to 2013. I agree we must always look at market responses. For example, I would like to see a 3% increase in milk quota because it reflects market needs. We can work very well with the French.

Deputy Michael Creed: Did the Commissioner also say that?

Noxious Weed Control.

101. **Deputy Liz McManus** asked the Minister for Agriculture, Fisheries and Food the steps her Department will take to control the spread of ragwort which is growing extensively on roadside verges and vacant land; the number of prosecutions taken in each of the past five years for failure to control ragwort; the number of convictions; and if she will make a statement on the matter. [21799/07]

Deputy Mary Wallace: My Department has conducted public awareness campaigns for the control of noxious weeds in 2006 and in the spring and summer of this year. The campaigns were directed at landowners and users of land — mainly farmers, local authorities and developers. Campaigns consisted of the circulation of posters for display in all Department of Agriculture, Fisheries and Food, Teagasc and local authority offices countrywide, as well as in agricultural centres such as co-ops, livestock marts, merchants' premises etc. I issued press releases on the subject of noxious weeds control and placed notices in the national newspapers. These campaigns were in response to the increasing prevalence over recent years of noxious weeds, especially ragwort, on road margins, development sites and on farmed lands.

In addition to the public awareness campaigns, my Department issued notices to offenders to have weeds dealt with. These notices were issued whenever complaints were made by members of the public or as a result of inspections carried out by my Department's field officers. The control of

noxious weeds has been made a cross-compliance requirement for single farm payment under good agricultural and environmental condition, which means that failure to comply with this condition may result in a reduction in the single farm payment.

While the Act makes provision for taking prosecutions against offenders, this measure has not been resorted to in recent years. The preference has been to appeal to the better nature of persons responsible for such weed infested areas to face up to their responsibility under the Act and have them controlled. Modern farming has reached a level of specialisation and intensification which makes weed control a fundamental and automatic practice. Therefore, with few exceptions, the problem of noxious weeds on farms has largely diminished. In contrast, ragwort is mainly found along the margins of roadways and railway tracks and in derelict sites.

Officials from my Department have met with the National Roads Authority and I am pleased to note that the authority has embarked on a package of initiatives for the control of noxious weeds. These initiatives consist of commissioning consultancy services to advise on appropriate procedures for dealing with noxious and invasive weed species on national roads. Specifications and method statements for treating such species will be developed through this consultancy service and issued to local authorities, which will form the basis for treatment of noxious weeds on the national roads network as part of the local authorities' routine maintenance programmes in 2008.

Farmers, developers and local authorities whose land contain ragwort should seek advice on control methods from their local Teagasc advisor or consult the Teagasc fact sheet on ragwort at www.teagasc.ie

Deputy Seán Sherlock: We have heard the quintessential civil servant's answer. Every farmer takes responsibility for ragwort or any noxious weed. Nevertheless, it exists extensively throughout the country. One can have all the public awareness and information campaigns in the world, but action is needed.

Would the Minister consider funding local authorities to ensure this blight is wiped out, particularly on roadside verges? Farmers and landowners take responsibility for noxious weeds when they occur on their land.

Deputy Mary Wallace: The National Roads Authority is considering the provision of a dedicated financial allocation to local authorities to address the control of noxious weeds on approximately 5,500 km of national roads.

During the summer I saw farmers in County Galway and council workers on the Dundalk bypass hand-pulling ragwort. This was a waste of time, because the weed can be sprayed in the early spring or between September and

[Deputy Mary Wallace.]

November. I encourage landowners and local authorities to take the advice given on the Teagasc website and spray the weed in the spring or autumn. This is a perfect time of year for spraying ragwort.

Deputy Michael Creed: What would Deputy Sargent think of that?

Deputy Trevor Sargent: I thank Deputy Creed for his concern.

Deputy Mary Wallace: Council workers could then do other work during the summer months.

Deputy Kathleen Lynch: I understand why we need to get rid of ragwort. However, has the Minister of State informed the consultants — I am staggered that consultants must be employed to get rid of a weed — that there is a caterpillar whose only food source is ragwort? Has she ensured that the consultants understand the importance of ensuring, while the cattle are not poisoned, that the caterpillar survives?

Deputy Mary Upton: Do data exist on the number of cattle or other farm animals affected by ragwort? We are concerned about ragwort because it is a noxious weed. While spraying can be effective it must be done repeatedly over a number of years and not merely once off. It is my understanding the spraying makes the weed more palatable so it is not without adverse consequences. The problem needs a structured approach and not mere once-off spraying.

Deputy Mary Wallace: Deputy Upton is correct. There are three reasons for dealing with noxious weeds. First, we have designated ragwort as a noxious weed because it is poisonous to animals when grazed or consumed in hay or silage; second, other noxious weeds, such as thistle and dock in grassland and wild oat in cereals, affect crop growth and consequently crop yield; third, if noxious weeds are not controlled their seeds spread to adjoining lands and cause further infestation and annoyance to neighbours. This is why farmers must work together with the National Roads Authority and with local authorities to deal with the problem on both sides of the fence.

The National Roads Authority and not the Department has commissioned a consultancy service. The consultants will advise local authorities on appropriate procedures. It is the job of local authorities to maintain margins on national roads. It is hoped the consultancy service will suggest specifications and methods for treating such species, taking the caterpillar into consideration. These specifications will be developed and issued to local authorities by the National Roads Authority and will form the basis of the treatment of noxious weeds on the national roads network.

This is a big issue for farmers. They are very concerned about it and, because of modern farming requirements, they are addressing the issue directly. I would welcome anything local authorities can do to assist in this matter. We do not want ragwort spread more widely than at present.

Pigmeat Sector.

102. **Deputy Jim O'Keeffe** asked the Minister for Agriculture, Fisheries and Food if her attention has been drawn to the threat to the livelihood of pig farmers due to the increase in feed-stuff prices; and her proposals in this regard. [21570/07]

Deputy Mary Coughlan: I wish to inform the Deputy that I met with representatives of the pig industry recently and they made me fully aware of the difficulties currently being experienced by those farmers involved in the industry.

There is no doubt that the conditions surrounding the availability and pricing of feed materials have changed dramatically over the last six months. A number of factors have contributed to this rise in feed prices. These factors include the increased demand for feed materials generally and from the bio-fuel industry, particularly in the USA; unfavourable weather conditions worldwide which affected many of the major cereal growing regions; and the lack of synchronisation between the GM authorisation processes in the US and the EU.

Industry sources have indicated that the demand from the bio-fuels industry has significantly reduced the availability of feed materials for pig feed. The increase in the price of wheat is of particular significance. Efforts to secure alternative supplies to compensate for the shortfall caused by the weather conditions are hampered by bio-fuel industry demands. While whole maize is considered a suitable substitute for wheat its availability and price has also been affected by the demands of the bio-fuel industry. In addition the cost of soya has been forced up because of consequential increased demand.

The cost of inputs must have a knock-on effect to the consumer. Consumers will have to pay somewhat higher prices for their food products and producers will have to strive for even further efficiency gains. That said, the current high input costs cannot be sustained longterm into the future. However, I believe that cereal production in Ireland and in the EU will increase significantly in response to the market situation. This should be facilitated by the availability of set-aside land for cultivation in 2008. I hope also that the cereal producing regions will not suffer the weather conditions that pertained this year.

Efforts to substitute whole maize for the more expensive wheat are also hampered by the lack of synchronisation in the GM authorisation processes used in the US and the EU. This asynchronisation has caused US exporters and EU

importers to act with caution because the consequences of detecting traces of EU unauthorised GM events in imported consignments are that the material has to be withdrawn from market. There is a real danger here that if the Commission does not act urgently in coalescing the two authorisation systems, the US exporters will continue to look to emerging feed markets in other parts of the world thereby giving rise to serious feed problems for the EU livestock industry in the not too distant future.

However, it is in this area of making more whole maize available for pig and poultry rations that I see the greatest potential for action. Indications are that new GM maize varieties will be introduced into the US cropping pattern year on year over the next number of years. If these varieties are not authorised quickly within the EU, the feed industry here will not be able to avail of the increased quantities of whole maize. A similar situation is set to develop in the use of soya from 2009 onwards with even more serious consequences. I am pleased the Commission is addressing this issue with its recent very worthwhile publication, *Economic Impact of Unapproved GMOs on EU Feed Imports and Livestock Production*.

I intend to remain in close contact with the pig industry representatives.

Deputy Jim O’Keeffe: The Minister’s reply is similar to her reply to an earlier question. Does she have any additional information for the House?

Deputy Mary Coughlan: I met representatives of the pig industry and I share their concerns, as do many Members of the House. We must examine many other issues apart from that of feed. Pigmeat is a good value and wholesome product and I am investing further in its promotion. I am on record that we will all have to participate to reassure pig farmers that we have an industry. Something will have to be done about getting higher prices for pigmeat so that with efficiencies at farm level farmers are recompensed for their produce.

Deputy Jim O’Keeffe: I have three questions before I pass over to my colleagues. In regard to Herculex, do I detect from the Minister that the Government was in favour of this policy? If that is the case why did we abstain and take the *slíbhín* approach where we are glad the Commission is bringing it in through the back door. Is it not a fact that Government policy on GM, as enunciated by the then Minister in response to a question from Deputy Trevor Sargent this time last year, that we support the genetic modification, subject to maintaining a commitment to food safety, on the basis of scientific risk assessment and management. On that basis, is the Government in favour of the European Union catching up with the US on synchronisation?

Getting back to home base, pig producers from west Cork and those involved in poultry and eggs said that they cannot get extra money from the multiples. The Minister must be aware of the cruel power of the multiples. Farmers are faced with higher costs as a consequence of the extra payments and are being squeezed out of business.

Deputy Mary Coughlan: I decided to abstain on the vote on feed.

Deputy Michael Creed: Because of Deputy Trevor Sargent—

Deputy Mary Coughlan: I am the Minister.

Deputy Michael Creed: —and what was in the programme for Government.

Deputy Trevor Sargent: That is for growing.

Deputy Mary Coughlan: I have the utmost respect for this House. The decision by Ireland to abstain on the EU Council vote on GM animal feeds is in line with that of France and Italy, who also abstained. These are major buyers of Irish produce. Had Ireland voted in favour, it would not have affected the outcome of the vote. The Government’s objective is to seek to negotiate an island-wide GM free zone. It is not about banning imported GM feed, it is about not growing GM crops and not proliferating GM pollen, seed dispersal and superweeds. In line with Government policy, I have set in motion a number of other Departments to elaborate this commitment and to tease out the implications from a policy perspective. That is the Government decision.

On the issue of synchronisation, previous to this Government, as the Deputy knows, I expressed grave concerns about the need for synchronisation. Waiting for three years for something to happen is very problematic for farmers because it creates a situation whereby the feed importers are afraid of purchasing ahead of time.

Deputy Jim O’Keeffe: Some of them will not be in business.

Deputy Mary Coughlan: The Deputy is right that there are grave concerns about the pig industry. It is of significant concern that supermarkets determine the price level at which pigmeat is sold. Anyone who has gone to the butcher or to the shop will have seen how cheap pigmeat is. That is not sustainable. We must ensure that the industry is sustainable and I will do everything I can to support the pig industry. It is up to everybody to do the same.

Deputy Noel J. Coonan: I wish the Minister and the Ministers of State, Deputies Wallace and Sargent, well. The Minister referred to synchronisation, but she should address the inconsistency

[Deputy Noel J. Coonan.]

of allowing food, meat and materials into the country while denying the entry of feedstuffs.

Had the Minister scientific evidence in coming to a decision to abdicate her responsibility by not voting, because in effect it means that the Minister put the Green Party before the farmers? The Minister has kowtowed to the Green Party. She had looked for this measure but when the opportunity arose, she was unable to take it.

An Leas-Cheann Comhairle: I call on Deputy Crawford to put his question.

Deputy Seymour Crawford: I listened to the Minister's appeal for everybody to come together on this issue. That was similar to the appeals on the nitrates directive, and as a result of the implementation of that directive some of the small pig producers have gone out of business. We want action. I represent a constituency that produces the highest level of poultry and pigmeat in the country. Farmers are waiting in anxious anticipation of practical measures. I know one can say it does not affect this or that, but the millers tell me that they are not in a position to buy product as they used to be. If we cannot buy product in the US and other places, the product that is produced from that grain in some other country will replace our products and our people will eat it.

Deputy Mary Coughlan: The price of feedstuff is a worldwide issue and is based on biofuels, increased population and a very competitive world market. India and China are the largest buyers of food. It is also based on weather conditions and many of the grain growers have lost their crops in desperate weather. It is on that basis that we will move ahead with the issue of setaside in 2008 for the production of cereals. On the issue of synchronisation and GM, Herculex will be passed by the Commission. There are two other varieties in the ground in the US and the process of consultation with the Europeans on recognition has not started. That is a serious issue. There is also the issue of access to maize on the basis that some of these GM products will not be available. There will be competition in the United States for biofuels initially and for farmers who feel the easier option is not to separate varieties but sell the combined product to China and India. We will work towards addressing these concerns at the beginning of next year.

Deputy Crawford is correct that the pig and poultry sectors have been very difficult because of many of these issues on world feed price markets. We will work with the industry to see what we can do in terms of supports.

Deputy Michael Creed: I agree with the Minister that the global aspect impacts on this issue. It brings to centre stage the issue of food security and I hope the Minister will pursue this point at the CAP health check. I am appalled at the naiv-

ety of the Minister and the Minister of State with responsibility for food, Deputy Sargent, who stated the issue about voting with the French. The French are self-sufficient and they want Fortress Europe because it will drive up the price of their produce. They do not want imports. To argue that we were with the French is illogical and a disservice to Irish agriculture. On a practical issue, let me raise the spreading of pig manure and fertilisers and the application of the nitrates directive and REPS farmers. The cost base of pig producers could be reduced if they were able to use lands in a REPS scheme for the disposal of pig slurry rather than be obliged to spread it.

An Leas-Cheann Comhairle: I must call the Minister as we are over time.

Deputy Mary Coughlan: I advise the Deputy that we worked towards that and the proposal was sent to the Commission by me and two other colleagues.

Deputy Michael Creed: The Minister must have a big postal bill because everything we have raised today is going to the Commission.

Deputy Mary Coughlan: Perhaps the Deputy should go to the Commission to inform himself of what has to go to the Commission. The nitrates directive must be implemented in consultation with the Commission. I made that proposal and it was agreed but it was not accepted by the Commission. It was thrown out. Since then, the industry has been working with the Department to explore at a sectoral level how to address the nitrates directive and its imposition.

Deputy Seymour Crawford: Are organic farmers included?

Deputy Mary Coughlan: There are many farmers from Monaghan involved and I am sure they will be more than helpful.

Grain Storage.

103. **Deputy Bernard Allen** asked the Minister for Agriculture, Fisheries and Food the reason her Department did not include in the final draft of the national development plan grant aid for on-farm grain storage facilities. [21891/07]

Deputy Mary Coughlan: The National Development Plan 2007-2013 provides for continued financial support for, in particular, on-farm investments. The farm improvement scheme, which was introduced by the Department on 12 July 2007, provides grant aid to farmers for the installation of grain bins and silos at a grant rate of 40% up to a maximum eligible investment ceiling of €120,000. These items were not previously eligible for grant aid under the farm waste management scheme, which closed for new applications at the end of 2006. An additional top up

grant of 10% is available to eligible young farmers for the installation of these items. A substantial number of farmers have already applied for grant aid for these items since the scheme commenced and the Department is currently conducting a review of the overall grain storage.

Deputy Noel J. Coonan: How many staff are employed at local level by the Department to inspect and approve those facilities? In north Tipperary there are only two people to inspect and approve under the farm improvement scheme. The old scheme has more than 400 applicants before we even come to the new scheme, which will take at least six to nine months. When will the Minister provide sufficient staff to enable the farming community to draw down the grants available to them under the scheme?

Deputy Mary Coughlan: We are under pressure because there was such enthusiasm for the old farm waste management scheme. We must make progress as soon as possible because the end of 2008 is the closing date. We have adopted a fast-track approach for a number of the items of interest to farmers. Over the past ten days there has been a huge increase in the number of applications and grants sanctioned. We are dealing with it to the best of our ability but we will evaluate this in the coming months.

Common Agricultural Policy.

104. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Fisheries and Food the degree to which she has evaluated the negative impact to date of CAP reform on the industry; her expectations in respect of WTO; if her attention has been drawn to the concerns of the food producing sectors at national and European level and the increased dependence on food imports from outside Europe; and if she will make a statement on the matter. [21526/07]

Deputy Mary Coughlan: I do not accept that the reform of the Common Agricultural Policy has had a negative impact on the industry. On the contrary, I believe that there are and will be major benefits for producers and consumers arising out of the ongoing implementation of the reformed CAP and the wide range of measures envisaged under the national development plan.

As part of the 2003 reforms of the common agricultural policy, the introduction of the full decoupling of direct payments under the single payment scheme ensures that farmers now have the freedom to farm and that the CAP will be geared towards the demands of the market and consumers. The single payment scheme is linked to food safety, animal welfare and environmental standards. Irish farmers will receive single farm payments of €1.3 billion in 2007, while consumers will be guaranteed a supply of safe food, produced to high animal welfare and environmental standards, at reasonable cost.

Producers and consumers will also benefit from the wide range of measures provided for under the national development plan, which includes the rural development programme which was approved by the Commission in July. Total funding of €8.7 billion is provided for the agri-food sector over the period 2007 to 2013. The objectives are to improve competitiveness at farm level, promote environmental protection, develop the food processing industry and fund research and development.

My main concern in respect of the 2003 Common Agricultural Policy reform is to ensure a period of stability to allow farmers to implement the changes necessitated by decoupling and to adapt to the market needs in a stable policy environment. The 2003 CAP reform is still being implemented and further major policy change should not be contemplated at this stage.

It is in this context that the ongoing WTO negotiations represent a significant challenge. The outcome of the negotiations will determine the levels of protection and support that the EU may provide for the duration of the next agreement.

My objective in the ongoing negotiations to complete the round is to ensure that the terms of the agreement can be accommodated within the framework of the reformed Common Agricultural Policy. This represents the limit of the European Commission's negotiating mandate in these negotiations and I will continue to insist that this mandate is respected. I have consistently outlined my position in the clearest possible terms at the Council of Agriculture Ministers. I will continue to work closely with like-minded Ministers in other member states to seek support for my position. I am determined that any WTO agreement must be balanced and must not be concluded at the expense of EU and Irish agriculture.

For the future, the question of food security may indeed be an issue. It is worth noting, however, that the EU is by far the largest player on the world market and while imports of certain commodities into the Community may have increased, Ireland will remain a significant net exporter.

Deputy Seymour Crawford: Does the Minister realise many farmers are completely disoriented and leaving the business? I came across a beef farmer last week who had fattened 300 cattle. He is now in New Zealand for the winter because he realises there is no point. Reform of the Common Agricultural Policy has damaged the industry. Does the Minister not accept that point?

Deputy Mary Coughlan: I do not accept it. We can deal with the negative when it comes to farming and agriculture but agriculture is still the bedrock of this country.

Deputy Noel J. Coonan: The Minister will soon have more Greens than farmers.

Deputy Mary Coughlan: That is an inappropriate remark.

An Leas-Cheann Comhairle: The Minister should ignore comments that are not in order.

Deputy Mary Coughlan: Look at the dairy industry. Last year, Deputy Crawford was roaring at me that it had been decimated and people were leaving in their droves. What is the situation now?

Deputy Seymour Crawford: The Minister's actions did not help Lakeland Dairies.

Deputy Mary Coughlan: I reformed the quota allocation system and now there is an invigorated industry that wants to drive on. That is what we should do instead of putting agriculture down.

Deputy Seymour Crawford: What about the mushroom industry?

Deputy Mary Coughlan: That is not to say there will not be difficulties but I have invested a huge amount in the national development plan to drive the industry forward and prepare it for the next reform, giving it the necessary tools to compete.

Deputy Seymour Crawford: What is the Minister doing with Mr. Mandelson?

Deputy Mary Coughlan: Beating him around the head.

Deputy Seán Sherlock: I take the view that the glass is half-full but there is a trend in Irish agriculture of flight from the land. This is largely due to global trends.

An Leas-Cheann Comhairle: I am sure the Deputy is about to ask a question.

Deputy Seán Sherlock: The WTO is influenced mainly by global corporations and that has an effect on small Irish family farms. Will the Minister bear that in mind when she attends WTO talks or Council of Ministers' meetings?

Deputy Mary Coughlan: The Deputy should get a star for that.

An Leas-Cheann Comhairle: Latitude is shown to all new Deputies.

Deputy Mary Coughlan: The Deputy is right. I am concerned that we support the diversification that is taking place within the European Union, particularly here in Ireland, when it comes to discussions at WTO level. I have expressed and will continue to express grave concerns about the impact of an unbalanced agreement and have pursued this vigorously. The Deputy is right that an unbalanced agreement would have catas-

trophic implications for European agriculture and for Ireland. I agree with the Deputy's views that we must have a balanced approach with reciprocity. Non-trade concerns must also be taken into consideration if we are to have an agreement.

Animal Diseases.

105. **Deputy Joanna Tuffy** asked the Minister for Agriculture, Fisheries and Food the latest information available to her Department on the outbreak of bluetongue in Britain; the steps she is taking to ensure that the disease does not spread to Ireland; and if she will make a statement on the matter. [21787/07]

Deputy Mary Coughlan: The first case of bluetongue ever to be recorded in Britain was confirmed on Saturday, 22 September on a farm near Ipswich in Suffolk. Since then several further cases have been detected on a number of other premises in England. The strain has been confirmed as serotype 8, the same strain as has been circulating in northern Europe since August 2006.

On 28 September, the Department of the Environment, Food and Rural Affairs in Britain confirmed an outbreak of bluetongue and immediately put in place the control measures required by Council Directive 2000/75/EC. As a result of the foot and mouth outbreak in Britain, there is already a ban on the importation from Britain of live animals.

There are no imports of susceptible livestock from restricted areas in Europe and all susceptible species imported from bluetongue-free areas, apart from the UK, are tested post-import and all have been negative for the disease. In view of the outbreak of foot and mouth disease, FMD, exports of livestock from Britain are currently banned. If and when the FMD-related export restrictions on British animals are lifted, consideration will be given to introducing post-import tests on susceptible animals coming from Britain.

Following the outbreaks of bluetongue in northern Europe, which began in August 2006, my Department embarked on a proactive surveillance programme that involved post-import blood testing of susceptible animals from affected countries and the random sampling of herds in counties in the south and south east in which wind-blown midges might have made landfall, if blown here. In addition to the ongoing testing of animals from bluetongue-free areas in Europe, my Department has engaged the Department of Zoology at NUI Galway to assist in carrying out a comprehensive surveillance survey of the midges that potentially spread the virus. In addition, my Department's laboratory service has been testing thousands of blood samples for evidence of bluetongue since earlier this year. My Department has also updated its contingency plans and legislative basis, and has increased awareness by providing advice leaflets for farmers and veterinary pro-

fessionals as well as having organised an industry seminar on the disease in July.

The day-to-day management of the disease threat and the contingency arrangements is undertaken by the management committee of my Department's national disease control centre, which has available to it a range of expert veterinary and scientific advice. This committee, whose meetings I have regularly chaired, has been meeting frequently in response to the heightened disease threats posed by both FMD and bluetongue.

Additional information not given on the floor of the House.

The use of an outside advisory group with a range of disciplines is also part of my Department's contingency plan. This approach was used in relation to FMD and avian flu in the past. Responsibility for taking decisions on the appropriate contingency arrangements to be applied would continue to be mine and that of my Department.

There is also a commitment in the programme for Government to establish Biosecurity Ireland, as a separate division within my Department, whose remit will be to "ensure the exclusion, eradication or effective management of risks posed by diseases and pests to the economy, the environment and to human and animal health". This will enable my Department to co-ordinate even more effectively the existing breadth of expertise already available. As with all commitments in the programme, work on its implementation is continuing and I expect that it will be significantly progressed in the coming months.

I emphasise, however, that I am absolutely satisfied the measures introduced to date have been taken on proper veterinary and scientific advice and that they are proportionate to the current risk. As that risk is reassessed, I will not hesitate to introduce such additional measures as are considered appropriate to any increased risk.

Deputy Mary Upton: I thank the Minister for her reply and I acknowledge that diseases such as bluetongue are, to a large extent, beyond the control of any individual or committee. In fairness, it must also be acknowledged that Ireland has been successful in so far containing this outbreak of foot and mouth disease. I wish to broaden the question, however, because there are a number of other animal-borne diseases involving intermediate factors, like midges, that undoubtedly will become more relevant as time goes on. There is an inevitability about that. While we have been lucky with regard to bluetongue disease and effective on foot and mouth disease, I wish to ask about the future management of risks associated with other types of animal disease. On a number of occasions I have raised the need for a structured bio-security unit to be headed by an individual who will take overall responsibility for co-ordinating it. My point is based on the New Zealand experience. That island nation is depen-

dent on agriculture and is very like Ireland in many ways. New Zealand has stringent controls on bio-security so a similar situation should be applied here.

Given what we know about recent events concerning foot and mouth disease at the Pirbright laboratory, should we be examining the possibility of putting in place our own testing facilities? I realise the cost and consequences arising from such a step but it might be worthwhile given the concerns that have not been alleviated by the second outbreak in Pirbright.

Deputy Mary Coughlan: Under the programme for Government we will introduce a separate division to establish Bio-Security Ireland and we will proceed on that basis. The Deputy is right in saying that over the next few years there will be considerably more new diseases, but expertise is being provided to deal with them. Accordingly, in due course, we will have to equip ourselves on a scientific basis, in consultation with farming bodies. The Deputy's concern about Pirbright, given that it is an EU reference laboratory, is challenging and we must learn lessons from the situation. On that basis, the State Laboratory has evaluated its own bio-security measures. We are lucky to have a brand new, state-of-the-art laboratory available. The Deputy is correct in saying that the outcomes of the Pirbright investigation may pose challenges for us all. It is not for me to say whether Pirbright will continue to be the EU reference laboratory, but I am sure the EU and the UK will undertake a major evaluation of that issue.

Deputy Michael Creed: Has the Minister's Department considered using a vaccine for bluetongue? I understand it has been successfully developed in other countries, including South Africa. Has the Minister had consultations with live cattle exporters, particularly to valuable markets in Spain and Italy? Exporters may have problems in accessing those markets via France where extensive areas are now closed off to animal movements. We need to examine that matter quickly. Will the establishment of Bio-Security Ireland require legislation?

Deputy Seymour Crawford: Will the Minister provide an update on what progress has been made, if any, towards an all-Ireland approach on this matter? I appreciate the great work that was done on foot and mouth disease between both Departments. As regards animal diseases, there is nothing to be lost by having a single approach, which should be up and running as quickly as possible.

Deputy Mary Coughlan: The Deputy is correct that the synergies North and South have been beneficial and an all-island approach is the most appropriate way to go. I will meet my Northern Executive colleague in the next two or three

[Deputy Mary Coughlan.]

weeks. Meanwhile, senior officials have been meeting on this matter in preparation for an all-island animal health approach, which is the best way forward.

There is a vaccine for type 1, but this is type 8. We are currently arranging the production of that vaccine, which has been raised at the European Council with Commissioner Kyprianou. It is hoped to provide a vaccine by spring of next year. We would then have to consider the issue of vaccination from a trade perspective but that is in the future.

As regards the export of live animals, there has been much consultation between the industry and the Department. At the moment, our competitors have exactly the same problem the Deputy mentioned in that they cannot come from eastern Europe to those markets. There has been no disturbance of trade so far, but we will keep in touch with the industry and *vice versa* to ensure that our exports continue.

Deputy Michael Creed: What about legislation for Bio-Security Ireland?

Deputy Mary Coughlan: I do not anticipate legislation.

Written Answers follow Adjournment Debate.

Adjournment Debate Matters.

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 the name of the Member in each case: (1) Deputy Mary O'Rourke — the situation in which standards of quality care are imposed on public hospitals but not on private hospitals; (2) Deputy Seymour Crawford — the urgent matter regarding the restructuring of Monaghan General Hospital, that is, that while they are reopening 52 new beds this week they are reducing the overall number of beds by at least 20, which means there will only be 52 main beds as against 140 only a few years ago; and the ENT service guaranteed only two weeks before the election has now been discontinued; (3) Deputy Thomas P. Broughan — the need to establish a ministerial task force to carry out a traceability audit of all building sites allegedly supplied with defective stone infill by a quarry group; (4) Deputy Brian O'Shea — the unsatisfactory nature of the reply to parliamentary Question No. 1132 of 26 September 2007; (5) Deputy Pat Rabbitte — the absence of general practitioner services for 6,500 people in Fettercairn, Tallaght, Dublin 24; (6) Deputy Martin Ferris — the urgent need for a sexual assault treatment unit in Kerry General Hospital; (7) Deputy Niall Collins — the need to provide a regular bus service between Ardah, Carrickerry, Athea, Moyvane and Listowel; (8) Deputy Simon Coveney — the position regarding the opening of the newly built accident and emergency depart-

ment at Mercy Hospital, Cork; (9) Deputy Willie Penrose — to indicate comprehensively why an application (details supplied) for funding in the sum of €484,000 under the summer works scheme 2007 was refused by the Department despite the fact that there is an urgent need for additional classrooms, office, general purpose room and resource rooms, and if she will indicate why this school, which is classified as disadvantaged, but with no concessionary posts, was not allocated the funding sought, and if she will make a statement on the matter; and (10) Deputy Kieran O'Donnell — the need for 100 extra Garda recommended under the Fitzgerald report to be given urgent priority.

The matters raised by Deputies Mary O'Rourke, Pat Rabbitte, Simon Coveney and Kieran O'Donnell have been selected for discussion.

Tackling Crime: Statements (Resumed).

Deputy Seán Barrett: I wish to share time with my colleague, Deputy Olivia Mitchell.

An Leas-Cheann Comhairle: Is that agreed? Agreed.

Deputy Seán Barrett: Unfortunately we live in a society that is experiencing ongoing crime on a large scale. I am delighted to see that the Minister for Justice, Equality and Law Reform, Deputy Brian Lenihan, is present. I congratulate him on his appointment. Those of us who have been here for a number of years have seen many criminal justice Bills going through the House. Despite that legislation, however, crime continues to be committed on a massive scale. We need to examine new ways of dealing with crime. We should not give the impression that the Legislature alone can solve the problem because it is a matter for every citizen. We must seek the co-operation of citizens in dealing with crime. Thomas Jefferson once asked "If the people are not fit to govern themselves, then who is?" That is a worthwhile quotation because it is for the people to decide.

Those of us whose children go into town at the weekend worry about whether they will return safely. That is no way to live. Without the co-operation of the community this problem will continue no matter how many laws we pass. We must get the message across that everybody is responsible, not just politicians. For example, recently in my constituency, two primary schools were vandalised throughout August. In one case €36,000 worth of damage was caused by gangs getting in through skylights, ripping out wiring and wrecking the interior. Some local residents told the principal that they had seen several teenagers gathering regularly on the flat roof of the school during the summer. Nobody thought of calling the Garda Síochána about the possibility that these people were up to no good and now gardaí are trying to find out who caused the

damage. That is only one example of the public co-operation that is necessary.

I read recently that the Minister for the Environment, Heritage and Local Government has increased the on-the-spot fine for littering from €125 to €150. That will not deal with the litter problem. I read also that last year 27,000 fines were issued for littering, 12,000 of which were paid. An extra €25 will not solve this problem and public representatives regularly call on local authorities to provide adequate litter bins. Wherever I went during the election campaign people asked me to get more litter bins. Why do we not ask the manufacturers of products such as crisps, chewing gum and cigarettes to sponsor litter bins and take responsibility for educating the public with the message that littering is not acceptable? Why chase people for fines? We do not want fines, we want clean streets. We give the impression that increasing fines will solve a problem. If people continually litter the streets they should do community service, picking up the litter from the streets, instead of paying a fine.

The Garda spends hours trying to catch drivers speeding. Is this a money raising racket or is it genuinely trying to deal with speeding? We would be better off without speeding fines or penalty points because it would mean that people were obeying the law. People do not respect these laws because they do not see them as realistic.

An Leas-Cheann Comhairle: There are five minutes left in this slot.

Deputy Seán Barrett: I started only two minutes ago.

An Leas-Cheann Comhairle: The Deputy started five minutes ago.

Deputy Seán Barrett: I did not.

An Leas-Cheann Comhairle: The electronic timing may be wrong but I follow it.

Deputy Seán Barrett: I started to speak at 15.50.

An Leas-Cheann Comhairle: The Deputy started at 15.48 and two seconds.

Deputy Seán Barrett: I am sorry.

On minor roads the speed limit is 110 km/h in rural areas. On the Bray dual carriageway the limit is 60 km/h and gardaí try to catch people speeding there. In some parts of Europe there are large signs warning drivers that checks are in operation for the following 20 km. That reduces speeding. Instead of trying to catch people we should encourage them not to speed.

I support the effort to stop people drinking and driving. Nothing has been done, however, about the drug problem. The after dinner brandy has been replaced by a line of cocaine. Middle class people do this. These people are the cause of the

large scale importation of drugs into the country and of gangland crime.

If there are 14,000 gardaí in the force there are only at most 3,500 operating at any given time. It is time to discuss the outdated system of three shifts with the Garda Representative Association and Garda management. There should be more gardaí on the streets when they are needed and, if necessary, I will pay for this service through my taxes.

An Leas-Cheann Comhairle: Deputy Olivia Mitchell has three minutes left in this slot.

Deputy Seán Barrett: With respect, the Deputy has five minutes. I started at 15.50.

An Leas-Cheann Comhairle: The Deputy now has two minutes and 51 seconds.

Deputy Olivia Mitchell: The Leas Cheann-Comhairle is being very hard. According to a survey published last week in *The Irish Times* the main concern of women here is fear of crime. Most women can identify and empathise with their feeling that they are not protected or secure. For some, however, that is not just a feeling but the reality of their everyday lives in many disadvantaged estates in cities and towns. People are subjected to vandalism, anti-social behaviour, intimidation, violence and, increasingly, murder is becoming almost commonplace. A parallel society is emerging in these estates. When that happens society begins to break down and alarm bells must ring.

Although we have often talked about crime and the need for prevention and enforcement we must examine what we are doing about this because it is not working. We need to be serious about a new approach, maybe by doing things we have shied away from in the past. We must for instance, stop pussyfooting around the concept of ID cards. Underage drinking is rampant and causes misery everywhere. Every evening on my way home I see groups of youngsters drinking. They are aged between 12 and 14 years and have no difficulty getting access to drink. They are destroying their own brains and causing misery for their neighbours as they make their drunken way home, destroying public and private property. They have no regard for anything and the police can do very little about them. They should probably be much more aggressive but we must help them by introducing a system of ID cards which has many other benefits.

We should be beating down the door of the European Commission to get help in patrolling our waters. Drugs come in through Ireland which is an easy back door into Europe. It is in everybody's interests that we co-operate in patrolling our waters. It is laughable to think that our naval services and coastguard are equipped with the money, the resources, or the incentives available to the international drug lords.

[Deputy Olivia Mitchell.]

We have our own home-grown criminals. They are not born criminals. Children do not come into this world as criminals but without the right intervention some are immediately established on a path to Mountjoy or some other prison. Parents have a role in nurturing their children, ensuring they behave themselves and grow into responsible citizens, and Government's role is to help parents do that. There are, however, circumstances in which parents, regardless of help, cannot, will not, or do not want to nurture their children. Many of them are teenage drug addicts or criminals themselves. They will not get up on a Saturday morning to bring their children to the GAA or some other club. We must introduce pre-schools where every child gets an equal chance. There are primary schools around the country without sports teachers, sports halls, or swimming pools. There should be universal access to sports for every child in the country. The sports projects for those who are disadvantaged are great and the voluntary clubs do good work but the children who attend them are self-selecting, they come from motivated families whose parents want their children to succeed. Every child needs such a chance and unless the State takes over where parents have failed, we will face the breakdown of society. Alarm bells should be ringing for all Members in respect of crime.

Deputy Charlie O'Connor: I welcome the opportunity to make a brief contribution to this worthwhile debate. As I have noted in the past week or so regarding other issues, people on the streets want Members to debate issues that are of concern to them. In the past two days, Members have focussed again on health and crime issues, as the public desires.

I applaud the efforts of my colleague, the Minister for Justice, Equality and Law Reform, Deputy Brian Lenihan. I am a long-time and well-known supporter of the Lenihan family. I assure the Minister this is the case — I have demonstrated it — and I wish him well in his difficult task. I am confident he will do a superb job. I also will take this opportunity to wish the other parties' spokespersons well. A Leas-Cheann Comhairle, you will not object if I single out my constituency colleague, Deputy Pat Rabbitte, who will try hard to replace you after you did a tremendous job. I wish him well in this regard.

Many issues are raised in debates such as this, as was demonstrated by the previous two contributions. While I would like to make many points, I will focus on a few issues in the short time available, including my constituency. I represent Dublin South-West, which embraces Firhouse, Templeogue, Greenhills, the rural areas of Brittas and Bohernabreena and Tallaght. Some Members may find it surprising to learn that although Tallaght is the nation's third largest population centre, it only contains one Garda

station. Garda services are also provided in my constituency from Clondalkin Garda station into Kingswood, as well as from Crumlin, Terenure and Rathfarnham Garda stations. A recent campaign for a second Garda station in the Tallaght west area has abated somewhat. Nevertheless, although the Garda authorities believe otherwise, this should be considered in future as such a major population centre should have adequate facilities. In this context it is proposed to redevelop the existing Garda station beside the Square in Tallaght. The Minister should take the opportunity to discuss the need for progress on the station's development with our colleague, the Minister of State at the Department of Finance with responsibility for public works, Deputy Noel Ahern.

Moreover, while again reminding Members that Tallaght is the nation's third largest population centre, the question of manpower levels must be kept under review and the Minister should do so. While much progress has been made in recent years and certainly since I entered the Dáil, Members must devote much attention to the issue. I remember growing up in the streets surrounding Leinster House as I lived in South Great George's Street and attended school in Clarendon Street before moving to Crumlin. At the time, I always had the notion of the garda on the beat who did not want one to play football and so on. While times have moved on, I believe strongly that manpower levels in Garda stations should be such that regardless of other duties, gardaí on the beat should be supported.

I also wish to discuss briefly some other priorities. I recall my grandmother, who lived in a bygone time in Dublin. While I do not wish to make her sound controversial, I remember her telling me as a young child that whatever about serious crime such as bank robbery, she had no time for those who upset elderly people or others in communities. Forty or 50 years later, anti-social behaviour still registers with people in Tallaght and in Crumlin where I used to live and which is now represented ably by Deputy Catherine Byrne and other Members, as well as in other communities. While people are greatly concerned about serious crime, they are also concerned by annoying issues such as underage drinking or anti-social behaviour. The Minister must devote as much attention to such matters as to the major issues, on which I also support his views.

In this regard, I concur with other Members that it is important to support strongly the actions of the Minister, his predecessor and his Department in respect of dealing with young people who are in danger of falling into crime. In this context, I strongly support the Garda youth diversion projects. The Minister has recently approved funding for the new Garda youth diversion project in Brookfield, Tallaght west, and I warmly applaud that decision. This constitutes State money well spent. Previously, another project was funded in

Tallaght, namely, the STAY project in the parish of St. Aengus in Tymon North. Although the Garda authorities will inform the Minister that the latter project is under some financial strain at present, I support it strongly. It is important for such projects to receive the support they deserve to reach those young people who experience difficulties and require assistance. Such use of resources is to be welcomed.

I could say much on drugs, the associated problems and the need for the Garda to stay on top of that issue. While this is not the Minister's direct responsibility, as Minister for Justice, Equality and Law Reform he should continue to assert that the deployment of State resources in communities in which facilities and resources are needed for young people should be supported. Our colleague, the Minister of State at the Department of Community, Rural and Gaeltacht Affairs, with responsibility for drugs strategy and community affairs, Deputy Carey, has been highly proactive in recent times. He visited the local drugs task force area in Tallaght immediately after his appointment and, subsequently, a number of projects in Tallaght have received generous funding, including the Tallaght athletic club, the Jobstown all-weather pitch and the Kilnamanagh family recreation centre. I believe that communities and the public are behind the Minister with regard to Government expenditure of such moneys. Investment in young people, particularly at times when they could fall into the danger of committing crime, is money well spent and the Minister should continue to consider this matter closely.

The Minister has many tasks before him and people knock on his door continually. I listened to other Members discuss the question of prisons and who should be incarcerated. I have always believed that although wrongdoing should be punished, we still incarcerate people who could be dealt with in other ways. I do not condone crime at any level. Nevertheless all Members have encountered cases in which people have been taken away for offences such as failure to pay television licence fees. I encountered such a case the other day in which a young man was taken away and jailed. While I do not condone wrongdoing, prison places should be reserved for those who should be locked up. There are many dangerous criminals knocking around who cannot be accommodated in prison because others are inside. There is a thin line in this regard and while I must be careful not to condone anything, an innovative and radical approach is required on this issue. The Minister should consider it in the midst of his other concerns.

I have read some publicity on how the Minister responded to an issue that arose in his neighbourhood in recent times. People desire Members to speak up for victims of crime and those affected by it. Much progress has been made in this regard in recent years. However, although I acknowledge the Minister has a broad remit, he should

not forget that victims of crime still need to be cared for. I have had some personal experiences of this kind as my car has been stolen and my house has been broken into. Although such incidents were not as serious as other crimes that have taken place, I share people's concerns. The British Secretary of State for Justice, Jack Straw, has contributed to a debate on this issue.

I hope the Minister is examining all those issues. I wish him well. He has my absolute support. I know he will do well in this Ministry.

Deputy James Bannon: I wish to share time with Deputy Clune.

I welcome the chance to speak on this important matter that has implications for every man, woman and child in this country. Few citizens have not been adversely affected by crime in the past decade and by the scandalous inability of the Fianna Fáil Government to tackle the changing face of criminal activity, which seems to indicate that life is cheap given the large number of gun-related crimes over the past two to three years. Gun crime, killing motivated by greed and revenge, much of which is drug related, has reached epidemic proportions and is a massive indictment of this Government. After ten years in Government and over ten years after the horrific murder of Ms Veronica Guerin, Fianna Fáil has done nothing to tackle the rise in gangland crime.

Decent people are robbed and assaulted in their homes and communities are ravaged by the scourge of drug-related and other crime. Ordinary people feel the justice system is tilted in favour of criminals rather than unfortunate victims and are all too conscious that many sentences handed down for serious crime are an insult to the concept of justice. I was surprised the previous speaker referred to this, given that he comes from the Government side of the House. Prisons are operating a swinging door policy and the punishment is definitely not fitting the crime.

With regard to criminal activity at local level, I wish to highlight in particular the position in my area of Longford-Westmeath and the midlands, an area with which the Minister is familiar and where he has his roots, where the supposed rural pace of life is being threatened and its peace and tranquility are being overturned by excess and threats of violence and intimidation. Overall, the number of headline offences in the midlands between the end of the second quarter of 2006 and the end of the second quarter of 2007 has increased by 1.5%. While the number of offences across the State has decreased by 1.1%, a small percentage over the same period, according to the Central Statistics Office in its most recent report, analyses show that between the end of the second quarter of 2006 and the end of the second quarter of 2007 the number of headline offences in the midlands increased by 44, representing a rise of 1.5%. Over the same period the number of such offences across the State decreased by approximately 1,000, from 104,682 at the end of the

[Deputy James Bannon.]

second quarter of 2006 to 103,682 at the end of the second quarter of 2007. This is not a cause for Government self-congratulation, but is caused by people who have lost confidence in the justice system not reporting crimes. I know of several persons who have not reported crimes because they stated that nothing will happen and one will only get the sympathy of the Garda Síochána on the issue. According to the Central Statistic Office, headline crime statistics are interpreted as referring to serious crime incidence but while considered to be the most serious, they do not represent all crime figures.

The fear of crime is greater in the midlands compared to the average levels for the State. Indeed, the findings highlighted that the perceptions of crime are higher than the national average in four out of five key indicators. The level of crime in Longford-Westmeath over the past year has frequently grabbed headlines in the national press. There were four raids in Longford last year. There were also a similar number of raids in County Westmeath over the same period. The recent dreadful murder of a young mother in Longford town shocked the county and the entire country. One of the saddest cases I heard in the past year was that of two elderly sisters who reported a break-in at 7 p.m. one evening and had to wait until 11 a.m. the following morning for the gardaí to arrive on the scene.

To answer the crime rate in the midland the Minister, Deputy Brian Lenihan, and the Government need to honour their promise to provide 2,000 extra gardaí. The Minister needs to achieve a visible Garda presence on our streets and to equip the Garda properly. The criminals are better equipped than the Garda Síochána and it is sad to have to say so.

The trouble with the law these days is that criminals know their rights better than their wrongs. Perhaps the trouble with this Government is that inaction encourages them in their misapprehension, but therein lies the rub. A government teaches the people by example. If by chance the Government becomes the law breaker, it breeds contempt for law and invites every man and woman to become a law unto themselves which invites anarchy. My party is the one with the record of standing for law and order and I wish the Minister would adopt the policy of former Ministers from this side of the House, former Deputy Paddy Cooney from my constituency and former Deputy Nora Owen, and indeed of my party's spokesperson who made a fine speech here today, Deputy Charles Flanagan.

Deputy Deirdre Clune: I wish the Minister, Deputy Brian Lenihan, well with his portfolio. We would not be discussing this matter if a young garda had not been shot in the line of duty last week. Garda Paul Sherlock, a 34 year old father of two out in the front line of the fight against

crime, has become the latest victim of the apparent lawlessness which has engulfed the country.

Almost 20% of the homicides since 2000 have been gangland slayings. Maybe a blind eye was turned to these murders on the basis that it was just one criminal killing another and we should let them at it, but that was naive. The gangland criminals now believe they can get away with murder and many have already done so.

Mr. Anthony Campbell, the 20 year old plumber, should also be remembered as his only crime was to be working in a house in Finglas where he witnessed a gangland murder. For that, Anthony was executed. That was only last December. Mr. Campbell and Garda Sherlock are just two victims of the criminal gangs who do not fear the law, who kill without hesitation and who believe it is better to leave a corpse than a witness. Criminals are becoming the masters of an increasingly lawless element where life is cheap, witness intimidation is an art and all that matters is control of the drugs trade.

Drugs money is at the centre of many of the problems facing this country. Drugs money is the seed from which lawlessness is grown. In today's Ireland cocaine is the drug of choice for many. We heard over the weekend how Europe has become flooded with cheap cocaine. In the past four years cocaine seizures have increased by 750%. The major haul found accidentally of the south-west coast during the summer is one of which we know, but how many more are getting through? I support the call made earlier by Deputy Olivia Mitchell to get help from Europe to secure our waters. We need additional support in policing our waters. Ireland is a small island on the edge of Europe and it is seen as a gateway for many of these drug deliveries. In a study last year DCU tested 47 random EU notes every one of which was found to be contaminated with cocaine.

The lawlessness on our streets is a national crisis and a direct challenge to the State and to all of us. It is a challenge for the Government and one which I hope the Minister will face. I heard the Minister's speech in which he addressed a number of issues. I strongly support his efforts with juvenile liaison officers and the joint policing committees. Having been a member of a local authority, I know how valuable a role local authority members, local gardaí and local community activists must play in ensuring in many cases that problems can be nipped in the bud and that young people, who gather and come in the way of drugs, alcohol or lawlessness, can be helped and supported. It is worthwhile work. We need more gardaí on the streets and a greater Garda presence in our communities. That is an important element in the fight against crime which is worthwhile in terms of saving young people from becoming errant and saving their families and communities from the heartache and stress which that can cause.

We also need to ensure that we bring in legislation to tackle witness tampering, to introduce a witness relocation programme and to increase needed community services. If we continue to turn a blind eye to gangland crime, we can continue to expect that innocent victims such as Anthony Campbell and Paul Sherlock will pay the price for our cowardice and indifference.

Deputy Martin Mansergh: I congratulate the Minister for Justice, Equality and Law Reform, Deputy Brian Lenihan, on his appointment. He has all the qualifications to be an excellent Minister for Justice.

I welcome his earlier statement that he is consulting this House before finalising priorities for the Garda Síochána in 2008. I especially welcome his statement that it is easy to sound tough on crime, but what is needed is to be tough on crime. In other words, effectiveness counts much more than rhetorical pyrotechnics. While I take crime extremely seriously, I have little time for political parties here or elsewhere taking up positions or using exaggerated language, not objectively justified, merely in order to impress the public that they are the most macho on the subject.

We are also fortunate in having a Taoiseach who has always regarded justice as an area of major political importance and priority.

Deputy James Bannon: Tell us that again.

Deputy Martin Mansergh: I wish to deal briefly with four subjects, namely, terrorism, domestic and international; violent and armed crime and activities associated with that; anti-social behaviour; and the best use of the State's resources.

People are concerned about terrorism here and abroad where lives can be ended in a flash entirely without warning. The first rule is to express no complacency nor to assume that because we have escaped so far, thanks in large part to Garda vigilance, we will always escape in the future. Since the Omagh bomb, terrorist activity in this State has been negligible and everyone is grateful for the peace we now enjoy, and which has been consolidated, and the protection that has been provided.

I remain concerned, however, by the continued existence of dissident organisations not committed to ceasefires and not foreswearing all criminal activity, as we saw in regard to the INLA yesterday. I am also concerned by the procrastination of mainstream loyalist organisations in winding up their activities. Full decommissioning and disarmament should be pursued in regard to each and every one of these organisations.

I was shocked when, some time over the past year in an RTE repeat of a "Léargas" interview of 1997, Ruairí Ó Brádaigh, president of Republican Sinn Féin, denounced "the poison of constitutionalism". I am pleased mainstream Sinn Féin has, in effect, in recent years in a post-Agreement context repudiated the poison of the Green

Book, which Irish democracy has successfully refuted.

With regard to the danger of international terrorism, I deeply deplore the type of rhetoric used about ongoing conflict in Iraq. It almost appears to incite terrorism in regard to this country, which has not been in any way involved. I refer to individuals outside this House, rather than anyone in it. The use of Shannon Airport is fully justified by the UN resolution of June 2004, which asked member states to afford facilities to the multinational force. Many references are made in this House and elsewhere to an illegal war, which in my view exaggerates the clarity of international law, but few references are made to a criminal regime, even if the manner of overturning it was arguably ill-judged and the particular justifications put forward for doing so are ill-founded and disingenuous. We have a multicultural population, which we wish to live in harmony together. We have had enough of young Irish people growing up in this country, blowing up themselves or others, without wishing to see it ever happen again.

The incidence and impunity, where it seems to exist, of armed crime is seriously destabilising if not consistently confronted. While armed Garda units are essential, we should hold on to the principle of an unarmed police force, as that is the best way to cement solidarity and co-operation between the Garda and the people. Armed gangs may be putting their lives and certainly their freedom at risk, but there must be no suggestion from these Houses relating to the Garda that could be misrepresented as encouraging a shoot-to-kill policy. On the other hand, the aggressive advertisements which try to deter people from dangerous driving should be extended to other areas, showing the consequences and victims of crime, and then the consequences for convicted criminals. One could, for example, pose the question: "Do you want to spend the best years of your life in jail?"

There is obviously some correlation between poverty and crime. However, around 1960, crime was at a low ebb when everyone was much poorer. Today, it is the opportunities of enrichment, especially in the drugs trade, that attract people to crime. The call to legalise drugs is naive. The State would still have to police the content and standard of drugs, and open warfare between cartels trying to capture the trade. It goes without saying that if Members of this House are required not to smoke inside this building and not to evade taxes, we are certainly required as public representatives to uphold the law on the consumption of hard drugs, whatever any of us may have done in our youth.

The single most important initiative, which at least checked the trade, was the Criminal Assets Bureau, established on foot of an initiative in 1996 by Deputy John O'Donoghue and subsequently adopted by the then Minister, Deputy Nora Owen, following the murder of Veronica

[Deputy Martin Mansergh.]

Guerin. I welcome the announcement of international co-operation against the importation of drugs by sea from Latin America. The international community could be doing much more to create incentives to stop the relevant plants being grown in the producer countries.

There is a shocking number of very often drug or drink-fuelled lethal attacks on individuals enjoying a night out.

Deputy James Bannon: We are moving all over the place.

Deputy Martin Mansergh: One of my daughters was with many others in August at a going-away party in the company of the young man, an employee of Google, who was murdered in Sandymount. It happened in the early hours of the morning while he was walking home with friends and he intervened to protect a girl on the street who was being physically abused by her companion. The ending of that young man's life had a shattering effect on his family and on all who knew him. Unfortunately, such incidences are an increasingly regular occurrence. Long sentences are needed for those who end other people's lives, regardless of class or so-called good character.

In most parts of the country, the single biggest day-to-day priority is tackling anti-social behaviour, which can so much affect others' quality of life, especially the quality of life of those who do not have the most advantages. Things can go horribly wrong, as occurred on an estate in Clonmel last spring and as referred to by Deputy Rabbitte. Extra Garda numbers must lead to a greater Garda presence on the streets in convincing strength, in places and at times when trouble is most likely, especially Friday and Saturday nights. There should be incentives for gardaí willing to live on-the-job in Garda stations in smaller villages so that there is always a Garda presence. This is a confidence issue with many communities.

I welcome the establishment of liaison committees in south Tipperary, initially in Clonmel and Carrick-on-Suir, but I hope soon in Cashel and Tipperary town also. During the Seanad debate on the legislation a couple of years ago, I seriously pressed the Minister's predecessor to include town councils as well as bigger local authorities, and he did so. We must realise a holistic approach is required involving issues such as street lighting, housing maintenance, the positioning of walls and pathways, as well as positive recreational opportunities, including sports halls as mentioned by Deputy Olivia Mitchell, all of which are the function of other public authorities. All of these issues have a part to play.

Finally, we should use the resources we have to the best effect. Members of the Garda or the Garda Reserve should not be doing jobs that civilians could do equally well. I regret that high cal-

ibre judges have been diverted to tribunals that have lasted far too long. Prisons must be rehabilitative and not breeding grounds for crime. A new and drug-free environment must be the goal. Generally speaking, prisons should be used as far as possible only when restraint for the protection of the public as well as punishment is required. Tax evaders, for example, can be punished and deterred in other ways. Far more use generally should be made of name and shame, as well as financial penalties on those who can well afford them. Holding someone in prison, unnecessarily, is a penalty on the State.

A low crime rate will help all other economic and social objectives. We should not be despondent. Two centuries ago the world largely rid itself of piracy on the high seas and Jefferson, as invoked by Deputy Seán Barrett, was the person chiefly responsible for this. Equivalent achievements are not beyond our reach today.

Deputy Joe Costello: I compliment the Minister on his recent appointment and wish him well in his portfolio. I also compliment Deputy Martin Mansergh on a well structured and well thought out speech. I agree with him on a number of issues, particularly in regard to retaining an unarmed police force, which has served us well since the foundation of the State. My only criticism is that Fianna Fáil has been in power for ten years so much of the advice Deputy Mansergh is now giving to the Minister should have been implemented in that period.

Unfortunately, the Minister in office for the past five years was prone to attacking criminals through the media and claiming not only that he had dealt with them but that he had seen the last sting of a dying wasp in 2005. Despite this claim, that year saw the largest number of gangland killings until then and the following year set another record. The last Minister did much talking but took little action. He was also anxious to condemn anybody who suggested he was not fully in control of criminality throughout the country. Unfortunately, he has left a legacy with which the current Minister, Deputy Brian Lenihan, will have to deal. I can predict with considerable certitude that this debate will mirror many debates in the next five years on this issue, namely, how we tackle crime.

At the beginning of his term in office, Tony Blair stated that we should be tough on crime and tough on the causes of crime. We have not been successful in being tough on either. If one reflects on the litany of crime in recent days, it raises the spectre of what urban Ireland in particular has become. In Limerick, multiple shots were fired at four separate houses in the course of last night. In my constituency of Dublin Central, guns and explosive devices were discovered at Stanhope Green and not just the Garda but the Army had to be called to deal with them. Yesterday, in Clondalkin, eight kilos of cocaine worth €2 million was seized by gardaí. Only last week, a traffic

garda was shot seriously in the stomach on Ossory Road, again in my constituency. The previous week, a drug dealer was shot in Finglas. Clearly, this microcosm of criminal activity in recent days demonstrates the seriousness of gangland activity in the city, particularly as gardaí themselves are not immune to the threat of violence and the use of weapons against them.

I recently received a letter from a number of local pharmacists, who stated they would no longer be in a position to prescribe methadone to the large number of addicts in my constituency because the HSE had unilaterally and without discussion reduced the return they would make on the prescription of drugs from approximately 18% to 8%, and that this was to reduce further to 7% in January. These pharmacists are brave people who are concerned largely with the security of the personnel working in their pharmacies, who prescribe and deliver methadone in circumstances that give rise to considerable difficulties. For the HSE to act unilaterally and make it difficult for the pharmacies to operate in a profitable manner is not good enough.

The problems of this generation are much more serious than those of the previous generation. When I became involved with dealing with prison reform in the 1970s, criminality had a totally different profile. Crime is far more serious today. It is more drug-related and gun-related and the profile of the prisoner in the prison system is totally different also. We have been very slow to respond to the changing profile of criminality in Ireland. This partly stems from the attitude of certain authorities, such as the former Minister who spoke of the last sting of a dying wasp. There was a sense of denial that a serious problem existed throughout the country — the same is true of a large number of senior gardaí.

This sense of denial is fuelled by the type of statistics available, which relate to reported crime although only certain crimes will be reported. Homicides will always be reported because there is always a body. Crimes against property, if serious, will be reported because an insurance issue must be dealt with. Drug seizures will always be reported because gardaí must report them. In the past five years, statistics have been trotted out to suggest headline crimes are down overall because these are the only areas where crimes must be reported. All the crimes in regard to anti-social behaviour, muggings, community-based crimes and lesser crimes of assault on persons are not reported because there is a perception they will not be dealt with and, therefore, there is no sense in reporting them. The five-year household survey is the only statistical evidence on which we can rely with regard to criminality.

What can we do? First, we need to face the reality that there is an escalating level of serious criminality in this country. We must target areas in a much more focused fashion. For example, there was virtually no cocaine in this country before 2000 but when it arrived, we were not pre-

pared and no steps were taken to deal with it. It could have been targeted early and dealt with but that did not happen. Every few years, a new type of drug arrives on the scene but because we are not prepared to nip it in the bud at an early stage, or we do not have a task force that is directed towards examining the new threats, we are not able to eliminate them. We must be prepared.

We must use local authorities more than we have done. For example, I do not understand why local authority boundaries or Dáil constituency boundaries should not coincide with Garda division boundaries. When we begin to operate the community policing committees properly, we must have a geographical area that is coterminous with the local authority boundaries, which are the major administrative boundaries in the State. In addition, the community policing structures must be rapidly upgraded and given the resources and strength they require.

We have been very slow to produce legislation on trafficking in persons. In a joint operation with Ireland, the British authorities are now extending Operation Pentameter, which deals with the trafficking of women and children from Eastern Europe and the Far East to this country, largely for the purposes of sex exploitation and work exploitation. Irish legislation is not in place to deal with this.

Deputy Brian Lenihan: It will be published next week.

Deputy Joe Costello: I am glad to hear that. I accept the Minister has already indicated he would give this matter priority. However, my other concern in this area is that although we are about to address the EU reform treaty, the Department of Justice, Equality and Law Reform and the British Government are already seeking derogations on matters regarding criminality and justice operations on the unsatisfactory basis that two different systems operate in Europe, namely, the common law system in Ireland and Britain and the continental system in most of the rest of Europe.

Maximum co-operation, including joint operations, is required across member states on all issues of criminality. We cannot use excuses to seek a derogation from jurisprudence issues. We must be fully involved and it behoves the Department to come clean on the issue. We cannot stand idly by while cross-border trafficking of drugs, weapons and people is the order of the day, nor can we take a position that we will stand alone with Britain because we are not part of mainland Europe and do not trust the jurisprudence or police forces of other countries. We must adopt a common approach and become fully involved in the reform treaty on this specific crime issue.

Deputy Mary Alexandra White: I wish to share time with Deputy Michael Kennedy. I congratu-

[Deputy Mary Alexandra White.]

late the Minister on his appointment. His statement on tackling crime and the positive figures he presented to the House, including those showing an increase in detection rates and a decline in the number of headline crimes, is welcome. I also welcome his announcements on joint policing committees and the juvenile crime programme and join him in paying tribute to the work done by Garda Commissioner, Noel Conroy. I wish the Commissioner well in his retirement and extend my best wishes to Deputy Commissioner Fachtna Murphy in the position of Garda Commissioner which he will assume next month.

As a Deputy living in a rural area, I can testify to the crimes perpetuated on constituents of mine, both young and old, weak and strong and those living in small towns and villages, rural hamlets and isolated parts of the countryside. In many areas, crime is an everyday reality with random incidents of violence, robbery and burglary experienced by many. We live in a madcap consumer world in which materialism is the new God. People's expectations leave many unable to cope, which results in considerable pressure and disappointment. Alcohol and drug consumption are at an all-time high. Crime creates a culture of fear, leaving many vulnerable people in isolated areas nervous when they hear such normal, everyday sounds as a knock on the door, the barking of a dog or a car pulling into a yard. This fear results in the twitch of a curtain and a nervous face peeping out behind it.

I have been attacked four times. One of the attacks was physical, while the other three were on my property. I have also had the unpleasant experience of seeing the trauma experienced by an elderly relative in rural County Wicklow who has been burgled seven times.

While progress has been made, it is vital that the Government continues to provide adequate resources and supports to elderly citizens, community groups and the Garda Síochána. I would like my local Garda station in Borris, County Carlow, to have longer opening hours. It currently opens for one hour on five mornings each week and for two hours on a sixth morning.

I will work with the Government to remove the service charge of €66 per annum associated with having a socially-monitored alarm system in the homes of the elderly in case of accidents or emergencies. These devices offer tremendous assistance to people living in rural areas when an emergency occurs because they provide a vital link to community support in the event of an incident in an elderly person's home. A dedicated law centre is needed in my home county town of Carlow for women who have been the subject of violence or abuse.

I welcome the provision in the programme for Government to further increase Garda numbers to 15,000 by 2010 and 16,000 by 2012. I also welcome the commitment to rid our estates and towns of anti-social behaviour by improving and

supporting community-based approaches, including family-focused solutions and community policing. I ask the Minister to fast-track grant aid for CCTV systems — I am aware he intends to take action in this regard — particularly for local community groups and organisations in a bid to cut down on the anti-social behaviour and thug-gery in many of our towns and villages. Tackling the causes of crime will lead to crime prevention. Building strong local communities with decent facilities for young people, adequate green spaces for recreational use and adequate resources for young and old will do much to strengthen and improve community relations.

I speak from the heart on this issue. Ordinary, decent people want to live peaceful lives devoid of anti-social behaviour and crime. They would like to leave the key in the door now and again without fretting about whether they have turned on their alarm systems. Fear must never replace trust in our communities.

I welcome this debate and support the Government in its drive to tackle crime in our towns, villages and rural areas. The debate provides an opportunity to highlight the needs of those living in rural areas who have been affected by crime. I hope it will strengthen the resolve of all those involved in policing and community engagement and result in further tangible financial support from Government.

Deputy Michael Kennedy: I join other speakers in congratulating the Minister on his appointment. I have the utmost confidence that he will perform his duties honourably and effectively. I welcome the many positive aspects of the Minister's statement, particularly with regard to Garda numbers. While all of us want serious crime tackled effectively, anti-social activity is probably the issue of most concern to ordinary citizens. This problem needs greater Garda attention. I call specifically for an increase in the number of gardaí patrolling on mountain bikes as they are in a better position to cross open public spaces and so forth.

In my constituency, particularly in Swords, five or six pubs close at the same time. It is imperative that different establishments have different closing times because excessive alcohol consumption results in problems when 400 or 500 people leave pubs at the same time and seek taxis home.

I welcome the establishment of joint policing committees. Local authorities have an important role to play in this respect given that they own many public parks and open spaces where a great deal of anti-social behaviour takes place.

We should prioritise community service over fines. Requiring young people to go out among their own peers to clean up litter, sweep streets or engage in other community activities, acts as a much greater deterrent than imposing a fine. Parents must also take greater responsibility for their children and should be financially penalised if their children break the law. They must know

where their children are in the early hours of the morning.

We need more gardaí on the beat right across Dublin North, the constituency with the fastest growing population in the country, if not in Europe. Despite this, my constituency has not benefited from an increase in Garda numbers. Part-time Garda stations should be manned to a much greater extent at weekends. While it is important to open such stations for a couple of hours on week days, the problems of excessive drinking and anti-social activity generally occur at weekends.

It is imperative that Garda divisions reflect the boundaries of county councils. The northern end of my constituency forms part of the Meath-Louth Garda division. This approach is not effective for the purposes of crime statistics. Joint policing committees, which I welcome, will be much more effective if Garda divisions are aligned with the boundaries of local authorities, for example, Fingal County Council.

In general, drug use is associated with people in our inner cities etc., but there is a growing culture of drug usage in the middle class. One hears stories of drugs being freely available at house parties and so on. It will have a detrimental effect on future generations. What effect will it have on the minds of young people if they see their parents taking drugs? While some of us are right to say drug barons are the bane of society, it is the middle class that is making multimillionaires out of them. The situation needs attention and I recommend that the Minister and his colleagues get to grips with it.

Acting Chairman (Deputy John Cregan): With whom is Deputy Catherine Byrne sharing her time?

Deputy Billy Timmins: Me.

Deputy Catherine Byrne: I congratulate the Minister on his appointment. In the past 20 years, our communities have undergone considerable transformations. Our newfound prosperity has resulted in much that is to be welcomed, but changing lifestyles have brought new and often difficult challenges. Daily headlines of violent crimes such as murders, gangland shootings and other crimes are well documented and there seems to be no deterrent for criminals. The Government needs an effective programme of action to bring to justice the dangerous criminals terrorising our communities.

While serious crime is widespread, the everyday problem of anti-social behaviour is making the lives of many people almost unbearable. Anti-social behaviour can hold a community to ransom. Behaviour that can start out as a mere nuisance can quickly lead to petty crime and criminal damage. Daily, I meet people affected by all kinds of bullying by groups of youths, many of whom are as young as nine years of age. That

people are being terrorised and do not feel safe in their homes is unacceptable.

Sadly, the most vulnerable in our society, the easy targets, are the elderly. I know many elderly residents whose homes are fortresses because of anti-social behaviour. I could document many cases where a visit to the local shop after 6 o'clock is impossible. Verbal harassment, loud music, loitering, drinking and drug-taking have reached an all-time high in many communities. Even the once friendly family pet has become a weapon. Why must those who have given so much to our society endure isolation and intimidation? Have we become a society of hear all, see all and do nothing?

One of the main ingredients for tackling anti-social behaviour is at our disposal, namely, community policing. All the evidence shows that community policing works and that it is the best way to combat anti-social behaviour, street violence and overall criminal behaviour. However, the current system must be built on and expanded to create a safer environment on our streets. We need real and effective community policing through engagement with local young people. The key to community policing is partnership and shared responsibility between the community and the Garda. Community policing is getting to the heart of the community, getting to know the youths on the street corner, dropping into youth clubs and being on first name bases with the locals.

Community gardaí must stay in one community without changing regularly if there is to be continuity. This would help to develop a good relationship between the Garda and the youths. Community gardaí need to become the new frontline of policing because they are the ones making a difference, but there is a lack of community gardaí. Currently, a small number of men and women take on a significant task. In my constituency of Dublin South-Central, which has a population of 122,000, there are 21 community gardaí, six in Sundrive Road, six in Crumlin, six in Ballyfermot and three in Inchicore. On average, there is one community garda for every 6,000 residents. How can this be effective? The Government's long-promised resources have not been delivered.

As a member of a policing forum in my area, I meet community gardaí and the local residents to whom it is a safe haven because their voices can be heard by their local community gardaí. Often, the forum is involved in raising crime issues in their community. The majority of anti-social behaviour goes unreported and uninvestigated because it is considered more of a nuisance than unlawful. People need to know that they can go to the Garda and that their problems will be dealt with.

The Criminal Justice Act 2006 led to the introduction of anti-social behaviour orders earlier this year. How many such orders have been put into effect? As a citizen who believes in youth services and who has worked her entire life

[Deputy Catherine Byrne.]

among communities, I do not want to criminalise young people, but they must be held responsible when they commit an offence.

I compliment the Garda Síochána on its work, but its resources are limited and anti-social behaviour is at the bottom of its list of priorities. Parents must take responsibility for their underage children causing mayhem in our communities.

Acting Chairman: The Deputy's time has expired.

Deputy Catherine Byrne: Will the Minister continue to support policing forums in any way possible? Will the Government continue to support youth activities in communities, particularly the youth cafes in my constituency?

Deputy Billy Timmins: I wish the Minister well. It is not my intention to look back, but it was with a certain irony that I listened to Deputy Mansergh discussing his disdain for political parties that ratchet up crime. I must check to determine who he represents.

Deputy John Deasy: The Ceann Comhairle, Deputy O'Donoghue.

Deputy Billy Timmins: If I may be so bold, I will give the Minister two items of advice. First, he referred to how easy it is for one to sound tough on crime when one should be tough on crime, an opinion I advocate. His predecessor is gone, but it is important to do the job instead of articulating on the airwaves what he will do.

Second, it is difficult to follow crime statistics. While there is an attempt to dumb them down — the Department's officials inserted in the Minister's speech facts about detections per head of population — it is important to have clear statistics on crime. We cannot deal with crime unless we know whether it is increasing or decreasing. No favours are done by dressing up the statistics or massaging them in a certain way.

I want to see the Minister do two things during his time in office. He should try to establish the link between disadvantaged education and crime, an issue I have been raising for ten years. One of the Minister's predecessors gave a commitment and some officials may have travelled to the United States to examine statistics on the link between educational disadvantage, including dyslexia and other literacy problems, and people who become involved in crime. At a juvenile delinquency centre in Britain, approximately 50% of the residents suffer from dyslexia whereas the normal percentage of the population is 4% to 8%. As inequality can be dealt with through early primary education, we should invest more resources in that area.

I welcome the Minister's announcement of a new centre for young offenders. The educational

centre for young offenders at Mountjoy Prison completed in April 2003 was not manned or operated until April 2007. I do not know what has happened since, but I advise the Minister to examine the young offender centre at Thorn Cross outside Manchester. My visit before last Christmas was a fantastic experience where I spoke with the inmates and prison officers. The centre has a vocational education ethos. The young offenders spoke of how they write to their buddies in the bang-ups, as they call them, and advise them to attend Thorn Cross. They have good relationships with the prison officers, are placed in jobs in the community and are liaised with as time passes. For many young male offenders, the relationships they built with the prison officers were the first in which they had male role models. If the Minister cannot go, he should request some of his officials to visit Thorn Cross before he develops the new centre.

Very often, simple measures can address the antagonism people face, especially from anti-social behaviour. Anti-social behaviour comes in waves. Today the problem is graffiti
5 o'clock and tomorrow it will be something else. One of the most significant problems currently involves boy racers in souped-up cars who bomb around towns and country roads at night. A simple measure which considers the insurance and tax implications of upgrading and modification of cars might reduce the incidence of this kind of behaviour.

According to legislation introduced by the last Dáil, control over setting out Garda divisions is outside the Minister's control. My home county of Wicklow is covered by three Garda divisions and it is virtually impossible to follow their boundaries. We are governed by Gorey, Dún Laoghaire and Carlow-Kildare and there is no centre in the county itself. While there cannot be a Garda division for every county, there should be definitive boundaries such as could be established by joining two counties together. When everybody is in charge, nobody is in charge. It is difficult for the public to establish which is their division. I acknowledge that the matter is one for the Garda Commissioner.

When the Commissioner comes to look at the above matter, the Minister might discuss with him the rebalancing of Garda deployment. For historical reasons, there are significant disparities in *per capita* deployment of gardaí among certain areas. It is important to address the matter. While I realise it would be difficult to reallocate, for example, 100 gardaí from the Cork to the Galway division, appropriate placement of recruits could resolve the problem over a short period.

Deputy Thomas Byrne: Os rud é gurb é seo mo ráiteas maighdine, mar a déarfá, ba mhaith liom mo bhuíochas a chuir in iúl do mo bhean chéile, mo chlann, mo lucht tacaíochta agus mo phairtí, a obair chomh dian ionas go dtoghfar mé sa toghchán. I wish the Minister, Deputy Brian Lenihan,

well in his job. The incoming Commissioner, Mr. Murphy, will also do a fantastic job.

To echo other Deputies, the chances are low that a member of the general population will experience crime directly. As the Minister said, however, that is no consolation to those who are affected by crime, especially serious crime. A particular problem in my constituency and other areas of expanding population is the lack of gardaí, which leads to a fear of crime. While the adage that we have nothing to fear but fear itself applies, it is also true that fear itself is problematic. People are rightly afraid in their communities if they feel the gardaí are not around to provide the security and safety required. While the village of Slane is adequately served with a fantastic complement of four gardaí, including a sergeant, Duleek which is many times larger and serves a greatly expanded population has only one sergeant and one garda. Nobber has one sergeant and one garda, which is insufficient, while my own parish of Laytown has two sergeants and 11 gardaí to cover a population of approximately 18,000. Changes in the Garda divisions will require the Laytown complement also to police the village of Stamullen which has seen its population expand to 4,000. My constituents fear crime, including burglaries and robberies, and anti-social behaviour. If the Garda were to place recruits in expanding areas, it would have a very significant effect on people's perceptions and their fear of crime.

The programme for Government includes a commitment to recognise the need for policing in areas of growing population. The Government will conduct regular detailed analysis of garda-to-population ratios to ensure that every region has appropriate policing. I welcome very much this commitment. Just this week, some of my constituents had cause to write to me about policing in the village of Stamullen. Following representations, local community representatives were informed that despite massive increases in population above north Fingal and Stamullen, the number of gardaí in the area remained at 1979 staffing levels. While there has been a very significant increase in Garda recruitment under Fianna Fáil Governments and while such increased recruitment will continue with the programme for Government, allocation must more properly reflect changes in population.

I agree with Deputy Costello's remarks on the reporting of crime. It is an issue which is especially relevant in my constituency. If people feel gardaí are not present or able to do their job due to lack of numbers, it is far more unlikely that crimes will be reported. I take the opportunity to urge people to report all crimes to ensure that statistics are accurate and appropriate plans can be made. The Minister mentioned a number of issues on community service and plans for community payback schemes which I was pleased to hear him raise. I was speaking to the parish priest of one of the parishes in the

northern part of my constituency at the weekend. While I was there, I encountered a person carrying out community service work for the parish. It had a significant impact on the parish and, according to the priest, on the individual who was committed to community service. I was pleased to see it working in that case and support all efforts to expand the scheme.

I endorse calls to continue to have a generally unarmed police service, which is very important. It is the wish of the people. However, we must continue to provide resources to those elements of the Garda which need to be armed to deal with the increase in gun crime. The most significant issue we face, however, is Garda numbers which are important to give people confidence that they are safe in their communities and that crimes will be dealt with.

Deputy Simon Coveney: I wish to share time with Deputy Deasy. I welcome the Government provision of time to discuss and make statements on this issue. The allocation reflects the seriousness with which Government and Opposition parties take crime. Many Deputies have spoken about gangland crime, murder, the drugs industry and people trafficking, the last of which we will discuss further at another time. I wish to use my time to make a case to the Minister for the community court concept, about which many generalisations have been made today which were not necessarily helpful. I wish to provide the Minister with details of a precise and well-thought-out concept for which the case has been made in the report National Crime Council report published in August 2007.

Community courts would represent an improvement and expansion of the drugs court concept. They would address the sorts of minor crimes which do not currently go before courts and which gardaí say it is not worth the hassle to try as they will be thrown out. As a result, people do not even report such crimes. I think of broken windows, for example. If a window is broken in an empty building and not repaired reasonably quickly, a great many other windows will be broken in a short space of time. If small crimes do not have consequences, they will lead to a great many more small crimes and, subsequently, a far more serious criminal problem. The advantage of a community court system is that it can be established specifically to deal with minor crimes of drug use, assault and the forms of anti-social behaviour we are seeing at the heart of every town and city on Friday, Saturday and Sunday nights.

I assume the officials with the Minister have read the crime council's report, as perhaps has the Minister. What is envisaged is that accused persons would agree to attend a community court as an alternative to the existing courts system and plead guilty. If a guilty plea were not entered, the matter would revert to the ordinary courts. Therefore, the community court system would

[Deputy Simon Coveney.]

involve the acceptance of a guilty plea by the court and fault by the accused individual. The community court would then be responsible for putting a package of responses in place including punishment, which is necessary, but also counselling, drug addiction programmes and a series of other supports designed to reduce the likelihood of the small-time criminal becoming involved in further criminal or anti-social activity or a life of crime. That makes sense to me because the existing system for small-time criminals falls at every corner. In the first instance, most small-time criminals never go to court because it is too much trouble for gardaí to follow through on minor crimes. If somebody is punched in the face after leaving a nightclub, he or she is unlikely to receive satisfaction in the normal courts system even if the crime is reported to the Garda. However, he or she could get satisfaction in a properly implemented community court system.

The National Crime Council's proposals may not be perfect but given that the average prisoner in Ireland is in prison for the seventh time, we should consider the concept. When a person leaves prison, he or she is more than likely to return within a few years, so the system is failing in terms of reducing the likelihood of criminal activity among small-time offenders. We need to break that cycle and the way to do so is by taking a different approach.

Deputy John Deasy: I congratulate Deputy Cregan on his elevation to the Chair. Earlier during this debate, my party spokesman called for a radically different approach to policing. I am not sure I agree with that statement because we have been aware for several years of the core difficulties facing policing. It is more a matter of emphasis. I understand the Minister has asked his Cabinet colleagues to identify the priorities as regards policing and I presume he will receive some good suggestions. However, one could learn about local policing issues in the local bingo hall and, as a Minister of State in the Department for five years, I would hope he is aware of the issues.

A Government spokesman stated after yesterday's Cabinet meeting that the overall situation was not that bad, apart from the fact that the figures for gangland killings were not very good. That reminded me of comments made by the former mayor of Washington DC, Marion Barry, to the effect that crime figures were not bad if one did not count the killings.

I have been in the Dáil for the past five years, during which time the emphasis has unfortunately been on legislative measures as a means of cleaning the streets. The Criminal Justice (Public Order) Act 2003 was completely useless, as were ASBOs. Tough measures to make judges impose reasonable sentences on people in possession of illegal firearms or in respect of drugs offences have been almost completely useless. For the past

few weeks, the new Minister has discussed mandatory drug testing in prisons, fraud bureaux for financial crimes and codes of conduct for internet service providers. These are important issues but should not be his main priorities.

The Chief Inspector of the Garda Inspectorate, Kathleen O'Toole, identified police visibility, community policing, proper training, greater use of Garda time, civilians behind desks in Garda stations and pooled resources in rural stations as the main priorities for the service. Her comments were interesting because she reminded us that the core problems were the same five and ten years ago. Sometimes politicians avoid the obvious purely because it has been raised a million times. The minutiae of policing needs to be frequently debated and reviewed. Ms O'Toole reminded us that small structural and operational changes in the way we police will have a far greater effect than a raft of criminal legislation. I am aware that the prospect of discussing visibility, community policing and civilianisation for the next five years may not sound glamorous to a new Minister but that should be his job. The last time we had a new Minister, we had a number of well intentioned speeches on these matters but little was done. The Minister needs to get CCTV cameras up and running and ensure young gardaí are on a first name basis with the families and young people they serve. That is the nitty gritty of policing.

I do not mean to offend the Minister or his profession but maybe we do not need another barrister or senior counsel in his office. Maybe we would be better off with an ex-police officer such as Kathleen O'Toole. The Minister needs to leave the Four Courts behind him and concentrate on the streets, the barracks and the estates. If he does that, he might be successful.

Deputy Michael Mulcahy: It is appropriate that Dáil Eireann should debate measures to tackle crime and I am glad of the opportunity to participate in this discussion. I acknowledge the contribution made at the beginning of this debate by the Minister, Deputy Brian Lenihan. His speech was open, constructive, free of ideology and genuinely invited contributions from all sources, which is as it should be. The new Minister is a breath of fresh air in the Department of Justice, Equality and Law Reform. In his short time there, he has displayed an admirable mixture of activity, intellectual rigour and humanity. I am also glad this debate has not been reduced to an argument over statistics. I strongly support the Minister when he stated: "It is no consolation to someone who has been a victim of crime to point out that the chances of it happening, particularly in this jurisdiction, are low." Particularly in disadvantaged areas, crime is a reality for far too many of our citizens.

Whereas I accept that all individuals must accept responsibility for their own crimes, I do not believe we should underestimate the linkage between social disadvantage and levels of crime.

I receive more reports of criminal activity from disadvantaged parts of my own constituency, Dublin South Central. It is in all our interests to ensure that the benefits of our prosperity and the greatest available resources are targeted at the areas in greatest need. In that regard, initiatives such as the RAPID programme and the various drugs task forces are to be commended.

Crime at community level, particularly anti-social behaviour and alcohol and drug abuse, can make people's lives a misery. Some excellent suggestions have been made during this debate and Deputy Coveney's comments on community courts are especially welcome. Much more involvement by the Garda is needed in local communities. In this regard, I welcome the introduction by the Minister of community policing committees. Unlike England, a gulf has existed for too long in Ireland between local authorities and the Garda Síochána. Local authorities should have a statutory role in community-based policing and public representatives should also be involved. In England, public representatives sit on police authority boards but that democratic input is lacking in Ireland.

With regard to the issue of organised criminal gangs, I concur with those speakers who condemned the cowardly shooting of Garda Paul Sherlock last week and I wish him a speedy recovery. The minimum sentence for attempting to murder a member of the Garda Síochána in the course of his duty is 20 years imprisonment. In light of this latest shooting, the Minister might consider whether the need arises for new sanctions specifically related to attacking or shooting a Garda in the course of his duty.

With regard to the issue of drug smuggling and drug gangs, it is quite obvious that although a good start has been made, far greater co-operation is needed at a European level between police forces and drug enforcement agencies. In this regard, I look forward to a debate in this House on the home affairs section of the new treaty that is currently being drafted in Brussels after the recent European Council meeting in Lisbon.

I regret that there has been a lack of debate in this House with regard to the issue of penal reform and I support the statements made earlier by Deputy Martin Mansergh. In my view, we still cling to the Victorian notion of lock them up and, somehow, the problem will go away. This is a fanciful and self defeating policy that costs the State a lot of money in the long run. The fact is that the deprivation of liberty of any person is punishment enough and, in my view, incarceration should be accompanied by much more progressive educational and rehabilitative programmes to ensure that we can finally deal with the problem of recommitting offenders. Prison should not be a training ground for future criminality.

This is not to say, lest I be misunderstood, that a prison sentence should not be a form of punishment, it should be, but anybody reading reports

prepared by the Penal Reform Trust or by the late and much admired Dermot Kinlen, SC, the former Inspector of Prisons, will have no doubt that the State has sadly neglected this aspect of the penal system to the detriment of society as a whole. The harsh reality is that overcrowding, violence, rape, drug abuse, and unsanitary conditions, have tended to harden criminals rather than assist in their rehabilitation.

I acknowledge that the new prison building programme, with modern, properly designed prisons, will be a fresh start in this process and may significantly contribute to tackling crime. I do hope that the new prisons are 100% drug free and that a proper technological solution is found to the problem of crime bosses using mobile phones or other devices while in prison for the purpose of their criminal activities.

With this brief statement I have tried to add my few words of wisdom to this debate and I want to acknowledge the positive comments made by almost every contributor to this discussion.

Deputy Jan O'Sullivan: I too welcome this debate and I will focus on certain aspects of it because nobody could cover the entire range of relevant issues relating to crime in Ireland in ten minutes. There were four different shooting incidents in my constituency last night and this indicates a worrying trend towards the possession and use of guns in society. Thankfully nobody was killed or injured but fear has spread in the communities affected by these shootings and beyond. These incidents came only one week after the daylight shooting of an unarmed garda, Paul Sherlock, in Dublin. I wish Garda Sherlock well and we are all thankful that his injuries were not life-threatening.

This trend is very worrying and while I will come to other issues raised here, such as prevention, community courts and so on, later in my contribution we first must address the growing incidence of gun crime. There are the beginnings of a gun culture in this country that previously we would only have associated with the United States, US, and crime drama on television. That such crimes now happen in Ireland is genuinely worrying for people who feel vulnerable in their communities.

Statistics show that there were 27 gun murders in Ireland last year and 21 the previous year. The detection rates are also worrying as only 16% of recorded gun murders in the past ten years have resulted in a conviction. The message conveyed by such statistics is that there is a reasonable chance that a person guilty of a gun crime will get away with it. I strongly believe that we must address this hard end of crime and see these statistics turned around to give people back the safe communities they expect and are entitled to enjoy.

In many cases these incidents are connected to wider criminality and relate to drug gangs protecting what they see as their territory. Big money

[Deputy Jan O'Sullivan.]

is at stake and those profiting do not concern themselves with those who might get caught in the crossfire or those terrified to leave their homes. There must be a coordinated and determined response with policing backed up by such bodies as the Criminal Assets Bureau, local authorities and other organs of State. Unfortunately many such criminals feel they can get away with their crimes and can continue to make large sums of money on the backs of vulnerable members of communities, such as drug addicts. I agree thoroughly with the contributors who have already said that we must retain an unarmed police force. Nevertheless, we must give the Garda the strength it requires and we must show these criminals that there will be a serious response. The criminals must know that the Garda Síochána is not a soft touch and that they cannot lord it over certain communities.

We need serious community policing that is valued at senior levels in the Garda Síochána, not simply seen as an optional extra, as is often the case when community police are taken away to perform other duties. The message given is that community policing is not the most important thing a garda can do. Communities need to get to know local gardaí so that they can feel safe about passing on valuable information and feel protected when they have the courage to stand up to the criminals in their midst. This is one of the most difficult issues in areas where crime, serious or petty, is prevalent. People are terrified about being vulnerable, particularly at night, if they are perceived to have complained about criminal activity. People often ask me to inform the Garda of criminality that is occurring in certain streets or houses but then ask me to leave their names unmentioned. People who inform the Garda of criminality feel they will be victimised as a result. The biggest challenge for the Garda Síochána in my constituency is to maintain control and a visible presence in areas where crime is prevalent.

I have not always agreed with Deputy John Deasy's comments in this House but I do agree that the simple things mentioned by Ms Kathleen O'Toole, Chief Inspector of the Garda Inspectorate, such as visible policing and community policing, are required in the communities with crime problems with which I am familiar. I wish the new Minister for Justice, Equality and Law Reform, Deputy Brian Lenihan, well in his office but the previous Minister seemed to rely on passing law after law with each one expected to solve a problem. These laws applied to many areas such as anti-social behaviour orders, ASBOs, giving police powers relating to loitering and so on. A series of legislative measures have passed through this House since I came here and I do not feel that this is the way to address these problems. The real answer lies in the visible policing of communities, particularly at night.

Major regeneration of my constituency is taking place at the moment and this is most wel-

come. These projects have been introduced to help turn communities around and they have the potential to make real differences in areas beset by criminal activity. Genuine fears, however, have been expressed to me recently that problems will move from one community to another. We must address this rather than suggest people are merely being snobbish about their communities. There is a genuine fear that criminal families will move into communities and if regeneration projects are to win popular support this must not happen. There must be co-operation and vigilance from all of the agencies involved, including the Garda Síochána. This brings us back to people needing to feel confident that they can talk about criminal activity in their communities, provide information and name names. This will help ensure that we neither let criminals get away with their crimes nor transfer them to other communities.

The Labour Party proposed the establishment of local policing fora as part of our recommendations for the reform of policing, in addition to a Garda ombudsman and a police authority. Deputy Michael Mulcahy just referred to the need for such an authority and this is something the Labour Party proposed and feels is an important element in having community voices heard in the upper echelons of policing. None of these has been delivered in the way we envisaged. From my experience the policing committees established through the local authorities are not providing the real engagement between the gardaí and communities that is needed. Some Members said they have had good experiences of these committees. While I am open to persuasion about them, there is a need to make them more local and to facilitate the real involvement of community representatives.

In my constituency we set up *ad hoc* arrangements whereby representatives from each part of a particular neighbourhood meet on a reasonably regular basis, a number of times a year, with the Garda sergeant in the local area and the local community policeman or policewoman. There is genuine engagement by the participants without any public media presence about the problems in an area. Such meetings are effective because they involve genuine engagement.

The Ceann Comhairle will be aware that it is a long time since zero tolerance was the mantra of Fianna Fáil. Many people still live in fear in their communities. The most vulnerable are the elderly, women living alone with children and anyone who is perceived to be different or weak in any way. They are the people who need the protection of the police. It is terrible for people to live in fear in their own homes, to feel they cannot go outside, that they must stay awake at night or sleep with the windows closed even though they might need air for their health. Every Member, regardless of the side of the House they are on, hears of such experiences from constituents who call to their clinics. We must address

that issue for people. Tackling crime must be kept high on the political agenda because failure to do so has such a negative effect on the lives of so many.

I wish to refer to some of the issues raised. The community court concept to which Deputy Coveney referred, which was recommended by the National Crime Council, is a good idea. Drugs task forces, where they exist, have done good work, but unfortunately for people living outside Dublin and Cork drugs task forces do not operate in the way they do in Dublin and Cork where there are genuine preventative measures in place with funding available to local communities. We should examine extending these preventative measures to other parts of the country. There are some good juvenile justice preventative programmes that have the effect of preventing young vulnerable people from getting involved with criminal gangs, but sometimes there is not enough places on some of these programmes. This issue of tackling crime should be kept on the agenda of the House.

Deputy Cyprian Brady: I welcome the opportunity to contribute to this important debate on an issue that touches everyone's life. I wish to deal with a particular issue but, first, I urge the Minister for Justice, Equality and Law Reform to continue to invest resources and equipment to fight crime. Much has been achieved in the past ten years, as the Minister said. We have taken on the criminal gangs and crime lords that eat away at the heart of homes and communities in every walk of life. We have increased the number of gardaí serving our communities. We have new laws to tackle a number of crimes such as anti-social behaviour, drug pushing and armed attacks. We have also invested in major crime prevention programmes, in one of which, the youth diversion programme, I have a particular interest. That scheme is making a difference to more than 20,000 young people every year. The programme allows gardaí to decide if a child charged with a crime can be helped to stay away from crime and to help him or her to achieve that aim.

I wish to make it clear to the House that all these crimes have one common thread, the illegal drugs trade. The importing and pushing of cocaine, ecstasy and heroin in Ireland is behind all major crime here. Parts of the constituency I represent have one of the highest rates of gangland related shootings in the country, and the previous speaker referred to this in regard to her area. Numerous murders and attempted murders have taken place and during one period recently an incident occurred almost everyday, some in broad daylight with adults and children in the vicinity going about their daily business.

All these crimes are linked to the drugs trade. The gardaí have had huge successes in seizing shipments of drugs. The drugs trade is a lucrative business, estimated, on the seizures that have

been made, to be worth more than €1 billion per year. It is also accepted that almost every shipment of illegal drugs that is brought into the country is accompanied by a supply of guns and ammunition. Our task, as public representatives, is to work with the gardaí, hospitals, schools and treatment centres as they help thousands of people of all ages in every village, town and city.

We have invested in the key areas to help those who are affected by drug addiction through the five pillars of the drugs strategy. Government investment and the tremendous work of volunteer groups have helped thousands of young people to overcome drug addiction. Our education and training programmes have also contributed to making sure that young people turn their backs on illegal drugs. However, we can never sit on our laurels when it comes to tackling crime. When the Garda Síochána successfully put a crime lord behind bars, unfortunately there are five or six others ready to take his place, and these replacements are becoming younger.

In recent years we have witnessed how vicious and ruthless the new wave of ganglords are compared to their counterparts in the 1980s or 1990s. We live in a society where criminals do not have any respect for their own lives, never mind for anybody else's life, and are quite prepared to shoot to kill anybody for even the most trivial reasons.

I heard the references in the debate to the shooting of Garda Sherlock in Ossary Road in my constituency of Dublin Central. That is a prime example of the ruthlessness of criminals today. I am delighted that Garda Sherlock is on the mend and is now at home recovering. He was extremely lucky.

While I have painted a grim picture of the problem, I would like to make it clear that the work of the people and the organisations that help people with drug problems has made a huge difference.

Having served the people of Dublin Central for almost 20 years, I have seen communities in the north inner city where two and three generations of families have suffered the devastation of drug addiction and have picked themselves up and worked to improve not only their quality of life but the quality of life in their communities. They are a credit to society, an example to all of us that if we work together we can sort out the problems.

As I stated, statistics show that every shipment of illegal drugs coming into this country is accompanied by a shipment of guns and other automatic weapons. Statistics also show that the majority of illegal drugs in Ireland find their way here from countries such as Afghanistan and Columbia. Despite efforts by the EU to get the governments of those countries to stop the production and smuggling of these drugs, the amounts arriving in Ireland continue to increase every week, as they do throughout Europe. I have met senior officials in the EU with responsibility for drugs issues. They will readily admit that in

[Deputy Cyprian Brady.]

Afghanistan in 2006 there was a record crop of the poppy plant, which ultimately results in the production of heroin. According to all sources, the supply of cocaine is about to explode throughout Europe. Prices for it have fallen on the street and, therefore, it is more accessible to more people. There is no substitute treatment for cocaine, as there is methadone for heroin. Therefore, we are storing up a huge problem for the future. As long as there is a constant flow of these drugs into this country, we will always have vulnerable young people who will try them and become addicted to them.

The successes achieved by the gardaí, communities, hospitals, schools and treatment centres are all down to a commitment by everybody concerned to work together to make the change happen.

I urge the Ministers for Justice, Equality and Law Reform and Foreign Affairs and the Minister of State with responsibility for European affairs to call on the European Union to take a leaf out of the books of these communities in Dublin city centre and to work together, as they do, to prevent drugs from coming into their areas. Steps have been taken throughout Europe and I am aware that the Minister, Deputy Brian Lenihan, was in Lisbon this week to sign a treaty to establish a new European centre, the Maritime Analysis and Operations Centre for Narcotics, to tackle the increasing shipments of cocaine particularly into Europe from South and Latin America. The European Union provides up to €6 billion a year to the Afghanistan Government to implement programmes to stop the production of illegal drugs, but this has not worked. We need the Ministers to put pressure on the European Union to stop funding going to Afghanistan. It has failed to deliver any result year after year. I urge Ministers to get the European Union to divert the €6 billion to Ireland and other countries in Europe to help us increase measures to stop the drugs coming into our countries on boats and planes, to shore up security at EU borders and to enhance treatment, education and prevention measures.

If we can reduce or stop the flow of drugs into the country, we will reduce the number of crime lords living lavish lifestyles on the backs of drug addicts. We will see increased rewards and sustainable benefit for the time, effort and commitment of the thousands of people working in drug addiction prevention and treatment throughout the country. By reducing addiction we will automatically reduce the level and ferocity of crime.

In the meantime, I ask the Minister for Justice, Equality and Law Reform to continue to invest in initiatives that will help young people turn their backs on crime. By managing investment in prevention, treatment and education at local, national and European level we can make a difference and reduce the flow of drugs and the number of crime lords in every country in the

European Union. I was delighted to be assured that commitment will continue and the drugs strategy and other initiatives taken to tackle crime will be supported into the future.

Deputy James Reilly: I wish to share my time with Deputies Michael Ring and Terence Flanagan.

An Ceann Comhairle: Is that agreed? Agreed.

Deputy James Reilly: I commend the bravery of Garda Paul Sherlock and wish him a speedy recovery. I am sure all in the House join me in that.

This debate has not been one of cross-party confrontation and I do not wish to make it so. We are all aware that we have serious crime and all parties want to see that addressed. We have had initiatives in various areas that have worked, including in the Minister's constituency a drugs hotline people can ring if they suspect drugs activity. This hotline is independent of the Garda, but feeds information to it. Many people are reluctant to ring the Garda because they feel they will be drawn into something into which they do not wish to be drawn. This hotline should be extended to north Dublin and the rest of the country.

In Balbriggan a juvenile was intimidated to the extent he was forced to take a three-month holiday down the country for his own protection. I am aware also of a person in north Dublin who started his drug habit when he was ten years old. As a result of these disturbing situations I have called for the establishment of a drugs squad for the north Fingal area, for Balbriggan, Skerries, Rush and Lusk, where we have had a number of drugs finds and drugs activity that has become a major problem which is of great concern to parents. I have called for the north Fingal area, Balbriggan and its environs, to be included in the Dublin metropolitan region and I look forward to an announcement on this which I have been told is imminent. It makes sense to have the same local and Garda authority from the point of view of by-laws etc.

In 1988 some 57 gardaí covered the areas of Balbriggan, Rush, Lusk, Skerries, Garristown, the Naul and Ballyboughal. In 1997 those numbers fell to 52 and in 2007 the numbers stand at 53. We have lost four gardaí in the past 20 years despite the fact the population has risen by 20%. What chance does the Garda have to police these areas successfully? It is seriously under resourced. I do not want to be confrontational on this, but I urge that the population increase be matched by increased Garda numbers. There has been tremendous growth in north Dublin, but we have not been provided with the necessary infrastructure. The Government must deliver in this area. The local authority cannot build Garda stations and put gardaí on the streets. Neither can it build schools and staff them. I hope the Minister will

take on board the need for the Government to take a line on this issue.

I am aware two excellent sniffer dogs are attached to Dublin airport in north County Dublin. These dogs reside in Skerries. If we had more dogs available to gardaí to take into public houses at weekends, we would pick up more drugs and possibly dissuade people from using them. Even middle class and professional people who abuse drugs support a dangerous industry.

Rush, Lusk and Skerries have three part-time Garda stations, while Donabate has none. Is it fair to the people of north Dublin that these towns and villages, with a population of 40,000, have only three part-time gardaí? It is not. That population is equivalent to that of Waterford. We need community gardaí on our streets, as mentioned by other speakers. I have fond memories of the garda in my area to whom people would go when in trouble. They went to him because they trusted and knew him and he knew them and their children. People knew that if they were out of order, they could not run away from it because he would be up to talk to them or their folks. This was not done in a threatening way but was a preventative measure and better than a cure. Visible policing through community gardaí or people in whom the public can trust is the most effective means of policing.

As a result of the significant level of small-time crime and misdemeanours in our communities we need a more flexible system than we have currently. I call on the Minister to initiate a public debate on the issue so that we no longer have a revolving door where people go to jail for a minor offence but do not complete their sentences. I hope the Minister will take this issue on board.

Deputy Michael Ring: We have a serious problem with crime. I urge the Minister of State to listen to what I have to say. He has not been listening for the past while. The Government does not understand what is going on. It has lost contact with people. It has become so arrogant it thinks it knows everything, but it does not know what is going on.

I also wish to be associated with the remarks on Garda Paul Sherlock. I remember being on the Government side of the House at a time when we had bank robberies, murders and raids and the then Minister, Nora Owen, was blamed for everything. I remind the Minister of State that those in Government are responsible now because they are in power and should protect the people, but that is not happening.

In Mayo, for example, the main problem at weekends is anti-social behaviour, but what is happening to deal with that? We have fewer gardaí on the ground to deal with such issues. I will meet the superintendent this weekend with regard to a problem in Ballinrobe, where every weekend there are rows and fights. There are not enough gardaí to deal with this problem. If we have a problem in a town or village every week-

end, somebody in power should deal with the issue. If they do not have the resources to deal with the thugs one Friday, they must deal with them and put manners on them the next Friday so that people who want to live in towns and do business there can do so in peace. They cannot continue with the situation as it is.

Deputy Cyprian Brady was right in what he said about drugs. People in my town and in every area have enormous wealth and are driving around in 2007 vans and Mercedes cars, yet they are drawing social welfare. What is happening to deal with this? Nothing is happening, yet if a poor devil does not pay his tax on time, the Revenue and tax office are after him. The Criminal Assets Bureau should investigate people who have wealth that cannot be explained. Nine times out of ten such people are involved with the drug trade, robbery and theft.

In County Mayo every summer people come into the county in 2007 vans and they want the local authority to provide parking for them. They are on social welfare, yet have the best lifestyle. What is the Government is doing about this? Why does the State not do something about these people who have unexplained wealth that has not been acquired through work or running a business? Let us target the criminals and the people bringing drugs into our areas. Let us target people who continue to cause trouble with their anti-social behaviour. It is time we got tough on them and took them on. It is time to protect law-abiding citizens who are living in fear of being attacked at night.

Deputy Terence Flanagan: I welcome the opportunity to contribute to this debate on crime. The Government must urgently increase Garda numbers and make the necessary reforms to justice legislation to get a grip on crime. For too long criminals have stuck two fingers up to the justice system and the gardaí. They are running riot in our city and afraid of no one.

Gun crime, organised crime and the drugs industry are out of control. The recent shooting of Garda Paul Sherlock shows how low the gangs operating in our city will stoop. The Minister's mission in his new job should be to put these gangs out of business, making our streets safe once more. One crime is one too many.

We have a major issue with illicit drugs, particularly cocaine, in our society. Not long ago a major shipment was retrieved off the south coast by chance. How many shipments arrive on a weekly basis without being intercepted? We can learn from cities like New York that have dealt effectively with gun crime. A delegation from New York visited earlier today so I hope we can learn from their achievements.

To tackle crime we need a more visible Garda presence on our streets and an expanded force. The force must be properly equipped, as recommended in the Garda Inspectorate report. It is not good enough that gardaí must use their own

[Deputy Terence Flanagan.]

mobile phones or cars while on duty. We need more closed circuit television cameras on our streets. CCTV acts as a strong deterrent to crime and the antisocial behaviour that plagues our streets, as Deputy Ring described. There are certain black spots where CCTV is needed and it should be employed immediately.

We need greater resources for youth work initiatives and early intervention programmes. I attended the information briefing by the National Youth Council of Ireland and it does some great work. We should encourage the youth of today to use their time more positively and to avoid trouble.

I hope the Minister will make criminals afraid of the law while making our streets safe again.

Deputy Áine Brady: I thank the Minister for Justice, Equality and Law Reform for his comprehensive contribution to the debate earlier and welcome the opportunity to speak in this debate.

Crime is a policy area high on the agenda of every political party. This Government is providing unprecedented resources to all elements of the criminal justice system and has given a commitment to increase the strength of the Garda Síochána to 16,000. The most recent crime statistics may show a minor improvement but statistics cannot give a picture of the suffering and damage caused within our communities by crime. We must not lose sight of the fact that each crime is one too many and has a negative impact on individuals and communities. The sad fact is that victims feel they are the forgotten element in the criminal justice system.

The Criminal Justice Bill 2007 gave the body politic an opportunity to send a clear and unambiguous message that, as a society, we are not prepared to allow organised criminal gangs to set about the destruction of families and communities. In addition, the programme for Government includes a wide range of policy proposals to deal with crime and its causes. The programme for Government committed to increase Garda numbers to 16,000 by 2012. An additional 300 civilian support posts in administration for the Garda Síochána will release further gardaí to visible, frontline policing duties. Many speakers have pointed out that Garda visibility on our streets will play a key role in reducing crime rates.

A major expansion of Garda and community CCTV schemes is underway. These schemes can play an important role in fighting crime and antisocial behaviour and, in doing so, afford greater peace of mind to communities. Crime affects all of society and cannot be tackled effectively without the support and engagement of local communities.

The largest ever Garda station construction programme is currently underway, with €260 million allocated in the national development programme for stations. In my constituency, a new Garda station is currently being constructed in

Leixlip at a cost of €4 million and it will open in autumn 2008, a welcome development for north Kildare.

We have committed to introducing a community payback scheme that will require offenders who are not subject to automatic prison terms to provide real services for the communities they have damaged, including street cleaning and painting over graffiti. A system where parental responsibility must be borne for criminal damage and costs incurred by victims of their children's antisocial behaviour will also be provided. While this may deal with a certain proportion of petty crime, it is my experience that much of the antisocial behaviour is carried out by people who are not under the legal control of their parents — boy racers are not always boys.

While increased resources, better technology and infrastructure and fit for purpose criminal legislation all assist in dealing with crime, a debate on the subject is not complete without looking at how we can prevent it. In my constituency of Kildare North there has been a rapid increase in population with significant growth in residential development. Economic success has led to a rapid rise in our population and while this success is welcome it brings with it challenges we must now address. The large residential areas now need a focused approach to building communities around the bricks and mortar of our housing estates. This is the time to invest in our communities in Naas, Maynooth, Clane, Celbridge and Leixlip so we can attract young people into sport, community activities and education.

I welcome the Government commitment to allocate €150 million to the community development fund over the next five years to build the infrastructure required to sustain these communities and I will press the Government to ensure Kildare gets its fair share of this funding. The development fund offers an opportunity to retrofit community facilities for these areas, particularly for young people.

Kildare is often seen as a wealthy county and while it has significant industry, it is not immune from the modern challenges all communities face. In Kildare North there is only one Garda youth diversion project, in Celbridge. These projects are an ideal mechanism for engaging with young people. They aim to help young people to move away from doing things that might get them or their friends into trouble with the law and can help young people to develop their sense of community and social skills through activities such as employment training, sport, art and music. These projects seek to foster a better quality of life for everyone in the community and to support good relations between gardaí and the community. I urge the Minister to consider expanding this project to other towns in Kildare North and I welcome his earlier contribution on this.

Organisations such as the GAA, FAI and other national sporting bodies also have a key role to play in building our communities. These organis-

ations have contributed in no small way over the years to give our young people options to ensure their spare time is spent positively. Central and local government and these organisations can work together to penetrate new commuter belts and achieve better participation in sport from our younger people.

Partnership, between local interests and organisations and between communities, local and national government and the Garda Síochána, is an essential feature of the fight against crime.

Deputy Michael D'Arcy: I have an original idea which I feel would be of benefit in the fight against crime. A regional version of the Criminal Assets Bureau should be established throughout the country. The John Gilligans of tomorrow could be tackled now and brought to justice before they become the crime lords of the future. Sufficient information exists in the public domain to tackle them. Many are home owners with no obvious source of income who claim social welfare from the State. How can these people own property when they have no earning capacity? How can they be allowed to benefit from the ill-gotten proceeds of criminality?

The limited resources available to CAB means it must target its energies towards selected criminals. No Member of the House could disagree with that, but an extended CAB with regional links would help to tackle serious crime in its infancy outside major urban areas. In such areas, gardaí are expected to deal with the likely perpetrators, but they are stretched beyond a reasonable capacity. In County Wexford, there are less gardaí on the beat than in the past, yet from 1996 to 2006, the population of Gorey has almost doubled. Courthouse was once a sleepy seaside village yet it has doubled in population in the same period. Further problems have arisen because of the number of holiday homes in the area, and the transient population is practically impossible to police. Members of major criminal gangs lie low there because the region is so difficult to police. As Deputies Reilly and Áine Brady said, tens of thousands of people are living in expanding areas, but there is no Garda presence, apart from a few gardaí who show up now and again. If local resources were made available to hire personnel with accountancy skills, local intelligence would come into its own to protect our communities from these leeches in society. I know who the main players are in my area of County Wexford. Most Members know who such people are in their areas. Members of the Garda Síochána know who they are and so do local newspapers, but we are not making funding available to deal with this problem because the people concerned are not the Slab Murphys or John Gilligans of organised crime.

The connection between drug abuse and criminality cannot be discounted. If the drug culture is curtailed then associated criminality, whether

involving petty crime or physical violence, will also decrease. The regional CAB should have appropriate resources and protection to deal with the Gilligans and Murphys of the underworld. Costs incurred in extending and developing a regional CAB will be recouped by society in the short term and will hopefully protect the next generation from the tragedies of drug crime.

I welcome the Minister's position on the JLO scheme, but this must happen immediately. Future benefits will accrue from influencing the younger generation now and, thus, the cost of the scheme will be recouped many times over. The largest schools should have dedicated JLO officers. Gorey community school is the largest second level facility in the country with 1,700 pupils. One JLO officer dedicated to that school would be of huge benefit.

Approximately €1 million has been made available for capital funding for individual crèche facilities. When children move on to primary school, however, the same facilities are not provided. Meanwhile, paltry sums of €150,000 are made available for community development associations. We should be establishing four or five crèches in every district.

I am passionate about protecting our younger children. Earlier this year the Garda Síochána was ordered to pay compensation of €70,000 after a convicted sex offender was found to be staying with a family in Kerry. However, the compensation was not paid to any of his victims, it was paid to the family with whom he was staying. That is an absolute disgrace, but it was done on the basis of privacy. The Garda Síochána has been denied a legal framework which exists in US legislation where it is known as Megan's law. It could work in Irish law, but I would prefer if such a law was not named after a dead child as is the case in the United States. I hope we will act now before one of our children becomes a victim of this gaping deficit in our legal system.

Deputy Tony Gregory: I thank members of the Fine Gael group for sharing time with me on this occasion. It is much appreciated.

Deputy Finian McGrath: Will the Deputy join them?

Deputy Tony Gregory: I will not comment on that statement from the former Independent, Deputy McGrath.

Deputy John Curran: He is still independent.

Deputy Brendan Smith: He is a valuable Member of this House.

Deputy Tony Gregory: I only have a few minutes to comment on the specific stated priority of the Minister to tackle organised crime and drug trafficking. This morning he promised to listen and take account of our comments. I

[Deputy Tony Gregory.]

hope he will do so. For some years, I have been seeking a review or redeployment of the Criminal Assets Bureau so that it would have units operating in the communities worst affected by drug crime. I am calling for this because I see little evidence that drug dealers at local level — the middle range that organises distribution — are in any significant way directly affected by the Criminal Assets Bureau's work. In my experience, they are not cut off social welfare and do not have their assets, such as cars and jeeps, confiscated. The fact that this does not happen attracts other young people into drug crime, which is why it is spiralling. We need to know why this is not happening. We need to provide the Criminal Assets Bureau with the legal backing and resources to make it happen. That is what the Criminal Assets Bureau was set up to do. It is timely to have an in-depth review. Given their experiences since 1996, surely the Criminal Assets Bureau's personnel have their own recommendations for improvements, or is everything just hunky-dory? I cannot imagine that it is. After all, we must remember that since the bureau was established, drug crime has spiralled out of control, not just in Dublin but throughout the country. There is a message in that development.

There is far too much hype and spin about the achievements of the Criminal Assets Bureau. How much money from drug crime has actually accrued to the Exchequer since 1996 under the Proceeds of Crime Act? Is it tens of millions or hundreds of millions? Or is it, as I am informed, a mere trivial €3 million that has accrued to the Exchequer as distinct from frozen assets where nothing ever happens afterwards?

Is it true the Assets Recovery Agency, set up in Britain after the example of the Criminal Assets Bureau, turned out to be slightly more effective with seizures than our bureau, but was nonetheless slated for its ineffectiveness and then scrapped? It is now part of a larger agency. Is it possible we might learn far more from the Italian experience where they have been seizing Mafia assets since the 1950s and 1960s? I am putting these questions to the Minister in the hope he might answer them at some stage, although I know he will not do so today. Is it the case that a financial action task force has examined the Criminal Assets Bureau and has made certain recommendations, for example, that assets should be frozen for a maximum of three years and not the current seven-year period, which have been ignored? I would like to see the Minister obtain answers to these questions and make whatever legislative and resource changes are required so the Criminal Assets Bureau can be the deterrent that clearly so far it has failed to be. After all, as I have stated, drug crime has spiralled since the Criminal Assets Bureau was established.

I do not intend to criticise the work of the Criminal Assets Bureau, but I want to be constructive in seeking effective changes that will

make the bureau's work the deterrent it should be. Clearly, there are few effective deterrents operating against drug crime in this county now, and the same applied in the past. Having said that, however, I agree with the general trend of the Minister's speech earlier. I listened to it carefully and there was very little in it with which I could disagree. I also want to be associated with the Minister's comments on the shooting of Garda Sherlock who was shot not far from my family home.

It was a cowardly attack that appalled every decent person in my constituency. I hope the persons concerned are dealt with speedily because while they remain at large they are likely to launch the same kind of cowardly and vicious attack or worse on a post office worker or anyone else who gets in their way.

Deputy John Curran: I welcome the opportunity to speak in this debate on tackling crime. Unlike some of the previous speakers I have come here without a prepared script. Of all the issues on which I have spoken in this House I feel best equipped to speak on this one, because of my constituents and family involvement. Every Monday when I go into my constituency office and play back the answer phone to hear the weekend's messages, the first to greet me concerns anti-social behaviour and public disorder. While these would have been referred to the Garda people still feel the need to refer them to their local representative. I do not know if they expect me to do something different because some of my friends and family members are involved in the Garda in my area.

In this House we took some steps to deal with the problem when we introduced the Criminal Justice Bill providing for anti-social behaviour orders, ASBOs. Last week I tabled two parliamentary questions on these in respect of the Dublin area. I wanted to know how the ASBO system was working after seven or eight months of operation in Dublin and specifically in my area. In his opening address today the Minister for Justice, Equality and Law Reform responded to these queries saying:

On the subject of ASBOs, I want to respond to some inaccurate conclusions which have been drawn from the fact no ASBOs have yet been applied for by gardaí. The regime, which was introduced just last spring, involves a series of procedures including behaviour warnings and, in the case of children, good behaviour contracts. In setting up the regime, the intention was that these warnings or good behaviour contracts would themselves address the problem behaviour. It is only if they fail that an ASBO will be applied. In any case, it inevitably takes time to reach the stage where an ASBO itself might be sought. Some hundreds of warning notices have already been issued.

While I do not disagree with the Minister's point the volume of complaints we public representatives receive about public order offences and anti-social behaviour make it a matter of concern that seven or eight months after the enactment of the legislation approximately 145 good behaviour warnings have been issued. In my area, Clondalkin and Lucan, there is a discrepancy in how these are being enforced. There are 31 in Clondalkin but only two or three in Lucan. When we debated this issue in the House there was serious concern about ASBOs infringing civil liberties and being slapped indiscriminately on individuals. That is far from being the case. Will the Minister meet the Garda Commissioner to discuss the issue and ask whether there is a practical impediment to the implementation of the legislation as we enacted it? I appreciate that an ASBO comes at the end of the line but it seems that each area deals differently with the warning letters. ASBOs took up much time here but maybe the Garda are not giving them as much attention as we had hoped they would. Before the system is deemed obsolete we need to review it to ensure the legislation is being enforced. The figures I received last week are a matter for concern.

I see victims of drug abuse every day in parts of my constituency. Some are still dealing and abusing drugs, others are on methadone, wandering aimlessly around the constituency. They make many of those I represent nervous. I have a degree of compassion for those whose lives are ruined in many ways through drug abuse. I have met many of them over the years and got to know them.

Deputy Gregory asked why we do not go after the middle range drug dealers. I am sorry the Deputy has left the House because I would put the problem another way. Drug abuse and gun crime are linked and have escalated because they are part of a lucrative business. I am glad we are having an honest debate without a motion condemning or supporting the Government because we can consider the issue as it is. Where do these people get their money? They are not the poor guys wandering aimlessly around, or the junkies on the street corner. There are affluent, middle class professionals who do not refer to themselves as drug users or abusers but who say they use "recreational" drugs. Each of those people supports the hardship that I see in my constituency and in other parts of the greater Dublin area.

It is a long time since I have heard or read of a professional, an accountant, a solicitor, or a Member of this House who has served time for possession of a drug. That group also has a part to play in tackling this problem. Too often we consider only the drug gangs. We must realise that another part of our society is funding this feuding. While the junkie on the corner and the guy going to the methadone clinic do have a degree of accountability because they have mugged people, stolen handbags, or broken into

houses to feed their habits, there is another class of people who fund the problem and make it worse, and we need to pursue them. Too seldom do I see the Garda and the authorities pursue middle class people who use what they might call "recreational" drugs. It is time to examine that in a serious and meaningful way. Many young people, not a small minority, would not dream of going to a nightclub without popping a pill such as ecstasy. They see only the life inside the nightclub, not the chaos, havoc and destruction that drug-dealing has brought to our streets.

More than a decade ago legislation was introduced providing for mandatory sentences for those caught in possession of a substantial quantity of drugs. In recent years people have received that mandatory sentence but they are a small minority. Maybe the figure has grown from 10% to 20% of those brought before the courts in a four or five year period. Many of those caught with substantial amounts of drugs do not receive the type of sentences this House envisaged when the legislation was enacted. If we take drug-dealing and drug-taking as less than serious offences we are part of the problem too. The Judiciary has not reflected the legislation as envisaged by Members at that time.

I will make one or two specific points. At the outset, I mentioned that some of my friends, associates and family are involved in the Garda Síochána. It has been brought to my attention repeatedly that in many ways, the legislation and rules——

An Ceann Comhairle: The Deputy's time has expired.

Deputy John Curran: May I finish on this point?

An Ceann Comhairle: Yes.

Deputy John Curran: It has been brought to my attention repeatedly that given the rules and procedures under which the Garda Síochána operates, its members are often playing catch-up. A key area that has been highlighted to me concerns mobile telephones, which are discardable items. Legislation is required whereby gardaí with reasonable and well-founded concerns can access taps and surveillance within an extremely short time because such telephones are discarded and renewed on a 24-hour basis. They hold a wealth of information for the Garda. While this issue has not been tackled seriously by Members, gardaí have repeatedly told me of cases in which although suspects are taken in, they are unable to pursue the line of information and the mobile telephones are changed. This issue must be addressed as the days when only land lines were available are long gone.

Deputy Martin Ferris: Crime is a growing concern in all parts of the country and my county

[Deputy Martin Ferris.]

is no exception. While the crime that makes the headlines concerns large-scale drug seizures and murders that are often carried out by gangs involved in the drugs trade, many people are more concerned by petty crime and anti-social behaviour, much of which is fuelled by drug and alcohol abuse. Although people may argue about levels of crime and reporting of crime, it appears to be accepted generally that many people, for whatever reason, do not report certain types of crime. Sexual and anti-social crime are among the categories less likely to be reported. Moreover, there is no generally accepted reason for people's failure to report crime. Do they believe there is less likelihood of the perpetrators being caught and dealt with or do they fear that a person who reports a crime will be subject to further abuse? This appears to be the most significant factor in respect of anti-social crime, whereby people live in fear of the minority in their neighbourhoods. I cannot recall the number of times I have encountered people who, having caught people red-handed in burglaries or other types of anti-social behaviour, have then made statements to the Garda. However, once the thugs in question become aware of this development, they threaten to burn the victims' cars, break their windows and so forth, thus forcing the victims of crime to withdraw their statements.

This problem is ongoing and I also am aware that in certain cases, gardaí have advised people not to make statements or to persevere with them, for fear of what might happen to them as a result of the actions of such thugs. Any Deputy who is being honest will have experienced similar cases. I have seen this at first hand in Tralee and know how badly affected individuals and families can be by such behaviour. I refer to the fear factor, namely, the thugs, or small minority of people who terrorise entire communities by their actions.

It can be extremely difficult to deal with this problem. This often involves attempts by local authorities to have those responsible moved. However, the fear factor also comes into play when making a complaint to local authorities, going into court and substantiating that complaint as such thugs and blackguards are able to intimidate people into not proceeding with the case.

In respect of sexual crime, at present victims of sexual assault in County Kerry are obliged to travel to Cork or even to Waterford for medical treatment and examination. This places an unacceptable additional pressure on victims and must be addressed by providing a treatment unit in close proximity to individuals. I refer to the Tralee area, in which a general hospital contained a sexual treatment centre until three years ago. Although money was promised to put it back in place last year, we still await its restoration.

Undoubtedly, the drugs trade is a huge source of crime, both by feeding anti-social behaviour and as a motivation for many of the murders that

take place. Thankfully, to my knowledge, County Kerry has not experienced that level of drug-related crime. However, there are indications that drugs have become more freely available and obviously that is associated with increased crime carried out both by those selling and those abusing drugs. I tabled some questions to the former Minister for Justice, Equality and Law Reform that elicited a response to the effect that the quantity of dangerous drugs being seized in County Kerry was increasing. While all seizures are to be welcomed, unfortunately there is also evidence of greater availability as the Garda itself admits that only a minority of drug movements are intercepted. I attended a meeting recently at which the gardaí involved in the drugs squad confirmed the strike rate was approximately 10%. In other words, 90% was getting in and being distributed in communities. I accept the gardaí involved are doing their best with the limited resources available to them.

I have more recent evidence that a substance known as crystal meths, which is a particularly potent amphetamine, is being sold in Tralee. Although this drug is not physically addictive, it leads to aggressive behaviour, which is a clear factor in street violence. I refer to personality changes in which a person becomes more violent and demanding to acquire that drug. It has also been suggested to me that this has had a tragic result for some individuals in the recent past. I do not know whether this is true and only time will tell. However, I have evidence regarding the availability of this drug, which has been referred to as the poor person's drug. It is available in small towns nationwide, as well as in Tralee.

Although heroin abuse once was unknown outside Dublin, it now poses a problem in many other towns. This is a consequence of well-organised gangs who target specific areas of population in the knowledge they are building up a market for their trade. The impact of heroin abuse may be seen in many towns, in which crime has escalated and health and welfare authorities face the problems arising from its effects. When drug gangs target towns such as Tralee, it is vital to provide the Garda with the resources to tackle the problem and to co-ordinate with the local communities that deal with the effects of drugs on a daily basis. It is also vital to invest resources in the provision of alternatives for young people to help drug abusers.

The level of Garda activity in Tralee and elsewhere in County Kerry is a matter that I, with other county representatives, have raised numerous times, including in direct meetings with the former Minister for Justice, Equality and Law Reform or with Ministers of State. As yet however, there is no decisive evidence that the issue has been addressed. While policing is not the only solution to crime, a greater Garda visibility is certainly a factor in crime prevention, particularly in respect of anti-social behaviour and drink-related violence in town centres at

weekends. I was a member of a delegation of the taxi federation of Tralee that came to this building during the last Dáil. Although it met a Minister of State and secured promises to make available additional resources and so forth, nothing has been delivered. Taxi drivers provide the escape valve for many of the buildings in town centres by getting people home late at night and so on. Better Garda visibility on the streets would guarantee the type of crime originating in such locations would be dealt with speedily and would be greatly reduced.

I have welcomed the establishment of the joint policing committee in Tralee of which I am a partner, with two colleagues. Such a body can play an important role in ensuring there is close co-operation between the Garda and local representatives. In this manner, the concerns and views of communities can be brought to bear on the operations of the Garda.

Members cannot be defeatist in the face of a problem that affects the quality of life of many people and must ensure the Garda has the resources and strategy to combat organised crime. However, Members also must ensure that communities retain their cohesion as this is the best way to ensure that young people in particular do not become sucked into anti-social behaviour and drug abuse. This is the reason it is so important both that communities should have access to employment and good quality housing and that local sports and other community organisations should be allowed to thrive and provide outlets for people of all ages.

The Ceann Comhairle will be aware of a story that appeared on the front page of *The Kerryman* last week. A decent family had its house burned and targeted by a drug dealer not too far from this city. They came into the town because one member of the family owed money and they targeted his mother and father to extract up to €40,000 that the drug dealer claimed was owed to him for supplying drugs to this fellow.

Two young lads, aged 17 and 21, respectively, from where I live are currently in Cork Prison awaiting trial for an armed robbery. They have stated — it is on public record — they were trying to get money to pay back a drug baron from Limerick because they were in fear of their lives.

I am aware of where a person who resides not too far from where I live in the Ballymacelligott area, which is known also to the Ceann Comhairle, has ended up in hospital. He had his legs and hands broken and acid thrown over his face. This also was drug related.

All of these incidents are coupled together with the growing problem of the availability of crystal methylated spirits and heroin. I have had it confirmed as late as yesterday, from reporters who have contacted the Garda in Tralee, that heroin is available on the streets of Tralee. We never thought we would see the day. I raised the matter six years ago and brought to the attention of the Garda and the public that heroin was in Tralee,

albeit only in maybe one or two incidences. Heroin and cocaine are the two major drugs in Tralee. The Garda management has been in denial for too long. The gardaí at the coalface are doing their best but they deserve the resources and support of communities, of elected representatives and of everybody to try to curtail this problem and ensure that it is brought under control.

Deputy Bernard J. Durkan: With the Ceann Comhairle's agreement, I propose to share time with Deputy Crawford.

An Ceann Comhairle: Is that agreed? Agreed.

Deputy Bernard J. Durkan: This debate should be of longer duration and it is long overdue. This matter needs to be addressed in more detail. I have much time and respect for the new Minister, Deputy Brian Lenihan, and I wish him well. I know that he understands the situation. However, I am pessimistic about the current position and where we are going.

The institutions of State have lost the battle already. We have gone down the road so far in failing to vindicate our position, in failing to justify our existence and in failing to defend the public. The courts have failed to do their job, for one reason or another. We, the legislators, respond too slowly, inadequately and late. The Department of Justice, Equality and Law Reform has responded too slowly to date. This is not a criticism of the Minister. It is a fact that all the institutions of State have stood idly by while the people are being put to the wall, and it is a sad situation.

In New York and Chicago in years gone by, when the criminals first took control of the streets they shot each other and after a while they began to shoot the police, and that is what is happening here. It is a disgrace. Nothing will change until we take serious stock of what is happening.

One can state that at present serious criminals are brought into court, but more often than not there is complete disregard for the new bail laws and they get out on bail to commit more crime. They get free legal aid at the taxpayers' expense to ensure that they get their rights and they walk out of court to repeat the crime.

Like several other Members of this House in recent years, I have tried to get information in that regard. The Minister can control this to a certain extent through the replies we receive in the House but if we do not get accurate replies to probing questions, it will make life more difficult for the administration of justice, for the Minister and, ultimately, for the people.

Hardened criminals are the order of the day. They live high on the hog and go to the sunniest sun spots worldwide for their recreation and sometimes as part of their lifestyle they remain there. They are internationally known and recognised. They thumb their noses at the law and they

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ridicule the society they left behind. They extort and they use every means at their disposal to continue expanding their empires. Right from within the prisons they can run their empires. They intimidate and threaten from within the prisons and they can get away with crimes for which they should be made accountable.

How many times have we seen young thugs who want to emulate these people coming out of the courts and giving the two fingers to everybody and anybody — to the media, to the Minister, to the Oireachtas and to the courts — and walking away? In fact, they have been immortalised in paint on canvas in some parts of the country.

It is deplorable that we have got to the stage where these people seem to do at will what they want. That is why we have petty crime. It is not that the petty criminals are the cause of it but they see what is going on around them. As a result, there is complete disregard for property and for life. It is a vicious cycle.

Drug crime has been mentioned by others. My response to those who say I exaggerate is to say that in every town and village there is a drug problem. In every school, even the primary schools, there is a drug problem. We have a serious situation on our hands and until some means is found to deal with matters such as the intimidation of witnesses, we will not know where we are going. Are we all gone daft?

I will go one step further. It may well be necessary to introduce special criminal courts. I do not see how else these matters will be addressed, and I am as much a civil libertarian as anybody else. The innocent citizens going about their business are as much entitled to their civil liberties as anybody else. We are letting them down, and the quicker we come to recognise that, the better.

Deputy Seymour Crawford: I welcome the Minister, Deputy Brian Lenihan. It is my first time to address him as such in the Dáil. I congratulate him on his post. From what some of his colleagues have said, he will be a breath of fresh air. I hope that comment is justified, but it gives us some indication of what they thought of their colleague, the previous Minister. I said nothing.

Crime is a serious matter. When one turns on the radio to hear of another shooting or a murder by whatever means, it is critical. Therefore, I welcome the opportunity to put some proposals to the Minister. I am sure they are not new, as I have already heard many of them commented on here earlier.

For instance, in Clones, a Border town that suffered as much as anywhere during the Troubles, there are still problems late at night. Unfortunately, the station is now closed except from 9 a.m. to 1 p.m. and from 2 p.m. to 5 p.m. The area is serviced by Monaghan Garda Station which is 13 miles from Clones, and they have to police Scotstown and right around the Border. These are areas about which young gardaí in Monaghan

simply do not have a clue. If these gardaí are called late at night there is a serious problem. I would ask the Minister to look at this situation. There are civilians available to man Garda stations and desks where valuable gardaí are sitting at present. There has been much talk in recent years of the civilianisation of these jobs and I ask the Minister to see if that can be done as a matter of urgency.

My party raised a number of times in the Dáil the idea of attachment of fines to earnings to ease the pressure on gardaí who must go out around the country or into the towns to collect fines, which is not a job that they should have to do. This would have two benefits. First, it would save the Garda money and time. Second, it would mean that those who cannot afford to pay their fines at once could pay through social welfare, through salary deduction, etc. Such a system seems logical. The credit union can stop money out of wages by agreement. Similarly, the VHI can stop its premium out of our salary, so why can simple things like this not be done?

I refer to two other outstanding matters in the short time available. Following the peace talks we had high hopes that the gangs involved in drugs, oil laundering, etc. would no longer operate, but that is not the case. It is important sufficient Garda resources are allocated to tackle people involved in this criminal activity.

Deputy Durkan referred to drugs being all over the place. I would have been less dramatic than he until I received a telephone call today from a person in a small village to say somebody had been arrested there and found with a considerable amount of drugs. I congratulate the Garda on its success, but it is frightening to think drugs are available only three miles away from my home in a small village.

This week we heard on local radio of an incident where the by-product from oil laundering was dumped on the Border. This practice is still ongoing. This activity underlines the need for a very close relationship between the Garda and the PSNI to ensure those involved are tackled once and for all. Such people are doing untold damage. First, Monaghan County Council has to hire a fire brigade to clean up the mess. Then the sludge has to be put on a lorry and brought to a safe place because it is an extremely dangerous product. Following this, it will eventually be sent to Germany at great expense to the taxpayer. Not only do we lose the tax revenue from the oil which is due to the State but we also incur other expenses in dealing with this illegal activity.

I wish the Minister well. I hope he can get the extra personnel on the ground. We can talk about statistics and numbers but unless people see gardaí on the ground and can leave home to go to their place of worship with the peace of mind that their homes will not be raided in their absence, we will not feel safe.

Deputy Finian McGrath: I thank the Leas-Chéann Comhairle for the opportunity to speak on this important debate on crime. We all have to face up to the reality that we have a major crime problem. We have a duty to do our best, whether as Members of the Oireachtas, parents, teachers, or members of our communities. We must work together on this matter.

There are different levels of crime, from extreme, violent crime using guns or knives, to local, anti-social activity. When it comes to constituency queries, crime is at the top along with health, disabilities, education and housing.

In recent days in my constituency the murder of Finbar Dennehy occurred, and prior to that there was the horrific murder of Donna Cleary. I offer my deepest sympathy to the family and friends of these two people. I was not happy with the media coverage of Mr. Dennehy's murder, as some of the reporting was intrusive. Crime victims are human beings and have families and friends. I urge all who work in the media to respect the victims of crime.

We must be radical and creative in terms of the solutions to crime. First, we must declare war on social and educational disadvantage. We must invest in our communities and our young people. I warmly welcome the fact this process has already started in schools. I raised these issues with the Taoiseach during the discussions I had with him during the summer. I look forward to the roll out of more services for disadvantaged communities in the next five years.

Yesterday, the Minister of State with responsibility for children, Deputy Brendan Smith, launched a major project for disadvantaged parents. He approved the community child care subvention scheme under the national child care investment programme, NCIP. This scheme, which was specifically designed to assist the most disadvantaged parents with their child care costs, has been allocated €153 million over the next three years. This represents a 16% increase in funding over the previous equal opportunities childcare programme.

The new scheme is targeted at parents in receipt of social welfare payments or engaged in education and training or work experience programmes. In effect, this will mean providers will be grant-aided according to the service they provide. This supports a key objective of the NCIP to support families and break the cycle of poverty and disadvantage by targeting resources where they are needed most. The new scheme will improve our capacity to target resources to services for high numbers of disadvantaged parents. It also carries forward commitments under the new programme for Government. I commend the Minister of State, Deputy Brendan Smith, on this new and radical programme.

If we tackle disadvantage and poverty, it will be a major arm in our campaign against crime. Children and young people are not born criminals but become criminals through dysfunctional

families, child neglect, poverty, literacy problems and other forms of disadvantage. This approach must be the first rung of the ladder in the battle against crime.

The victims of crime need our support and we should listen to them. As I speak, a victim of crime is protesting at the gates of Leinster House. Peter Preston is on hunger strike, his second in the past 12 months. He is demanding justice and an end to corruption in our justice system. He believes he has been let down, especially in the way his innocent daughter was ruthlessly stabbed in the face in a pub. He wants this matter to be addressed. It is not good enough how his family has been treated. He is also highlighting the issue of under age drinking and the manner in which some pubs and off-licences sell alcohol to young people and hide behind their actions.

All Members of this House should understand Peter Preston's case and support him on this issue. He is a victim. His hunger strike is serious and we cannot have a situation where a person dies at the gates of Leinster House. We must ensure all citizens are treated with respect in our justice system. Nobody should be above the law. Peter Preston's voice should be heard, especially in a modern, inclusive society. Above all, Peter Preston deserves justice.

It is important in the context of community policing that we encourage minority communities and foreign nationals to join the police service. I welcome them. I urge the Minister and the Garda to be more open on the question of Sikhs serving in the Garda Síochána. Members of the Sikh community approached the Garda and asked to join. They seek our support, especially on the issue of wearing the turban as part of the Garda uniform. A member of the Irish Sikh community wanted to serve his local community by joining the Garda Reserve force. Having successfully passed three phases of training, when he commenced the fourth phase of training at the Garda station he was told by the human resource department he would have to remove his turban and wear a uniform cap if he wanted to continue.

This was a shock for members of the Irish Sikh community who had been assured repeatedly by the Garda authorities during the consultation process held over the previous two years that the turban would be accommodated without any difficulty. A typical response was they did not see any reason turbans should be a problem, especially when they are part of police uniforms around the world. Sikhs are required by their faith to keep their hair uncut and covered by a turban.

Sikhism is the fifth largest and youngest religion with 25 million followers throughout the world, 20 million of whom live in India. There are approximately 1,500 Sikhs living in Ireland. They believe in honest and truthful living, commitment to community service, social justice, tolerance and mutual respect for other cultures, which make them ideal citizens of every country where

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they live. The contribution of Sikhs is noticeable in every walk of life, but more so in law enforcement agencies throughout the world.

In the last two world wars, 83,000 turban wearing Sikhs died and 109,000 were wounded in the cause of freedom. Sikhs still make up 10% to 15% of all ranks in the Indian army and one fifth of its officers, while they form 1.87% of the Indian population. Apart from India, the United Nations, the London Metropolitan Police, the Canadian army, the Royal Canadian Mounted Police, the US army, the New York Police Department, the PSNI, and the Federal Bureau of Investigation have all allowed turban wearing Sikhs to serve their respective countries. Countries such as Malaysia, Singapore and even Pakistan recognise the Sikhs' right to wear the turban and accommodate it as part of the official uniform of their forces. I support that position. I urge the Garda Commissioner and the Minister for Justice, Equality and Law Reform to review and change their position on this policing issue. It would send out a positive message that they respect all cultures and all religions.

With regard to armed crime, it is important we wake up and take account of the reality on the ground. We have a crisis on the drugs issue. Operation Anvil is an excellent operation and I commend all the gardaí involved. From my experience on the north side of Dublin, I know of the great work being done in this and other crime prevention operations. We need to fund, resource and support the gardaí involved.

I offer my sympathy to Garda Paul Sherlock and his family following his brutal shooting while on duty. Thankfully, he is recovering but that incident is not acceptable in any modern society. If we do not draw a line in the sand following that case, and with regard to Donna Cleary's slaughter, something is radically wrong with the country. However, while we need armed operations such as Operation Anvil and armed gardaí within the force, the vast majority of gardaí remain unarmed, a position I support and which is supported by the vast majority of the community.

In tackling crime, it is important we focus on disadvantaged communities as part of the strategy. It is no use introducing more legislation because it will not work. We need to assist alienated communities and those who are being hammered every night in their communities. Every day in my constituency I see that men and women are afraid to come out of their houses. To tackle crime, we need to tackle poverty and educational disadvantage. We need quality, accountable policing and we need people to do the job.

Deputy Jimmy Deenihan: I congratulate the Minister on his appointment. From the first time I heard him speak in the Dáil, I recognised him as a capable and competent individual.

I compliment and congratulate Deputy Charles Flanagan on his appointment as Fine Gael

spokesperson on justice. He continues a long and strong tradition in the party. Having listened to the debate, I acknowledge Deputy Flanagan's generosity in stating he would co-operate with the Minister and support any positive policies he is prepared to bring forward. This is a new departure, especially given the type of approach taken by my Kerry colleague, the Ceann Comhairle, Deputy John O'Donoghue, when Mrs. Nora Owen was Minister. Deputy O'Donoghue's approach was not as generous as that offered by Deputy Flanagan and accepted by the current Minister, Deputy Brian Lenihan.

The Minister and Deputy Flanagan can together do something about what is happening. Having spent 20 years of my career in the House, I am convinced there is a major disconnection between this House and what is happening in communities. Unless the Minister is prepared to go into housing estates and meet people affected by crime or those on the fringes of society, he will not have an understanding of what is really happening out there. More Members of the House should venture out, particularly those making decisions and making the law.

The policing committees are very important. It is an issue Fine Gael and I promoted ten years ago. I welcome the Minister's appointment of more committees throughout the country, which is a good idea. I am a member of a committee in Tralee and I have seen how well it works. We have already reduced pub opening hours, which has had an effect on the streets at night. The policing committees are a mechanism through which the Minister can make improvements.

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): We have had a full and constructive debate, with contributions from all sides of the House. I will read the transcript in some detail as I had to repair for nutrition at one stage of the debate, and I will draw the concerns raised by Deputies to the attention of the Garda Commissioner.

I thank Deputy Charles Flanagan for giving a commitment on behalf of Fine Gael to co-operate with me in initiatives launched to tackle crime. It is important, whatever may divide us, that a strong message goes out from this House that all sides are united in our determination that crime will be addressed.

I welcome Deputy Flanagan's support for the establishment of a DNA database, for which I will bring proposals before the House. I will be interested to hear Deputy Flanagan's views on the uses to which such a database might be put. A balance must be struck between security and liberty. We may need to strike a new balance. I look forward to hearing from the Deputy where that balance might be struck in establishing a database.

Deputy Flanagan also called for the introduction of a national identity card. Again, I am interested to hear his views on what data such a

card should contain, who should be required to hold it and the sanctions that would apply to those who fail to hold it when they should. I am bringing proposals to Government on the options in regard to an essential preliminary to this, namely, that in the first instance we record the location at which every person in the State resides.

Deputy Flanagan also suggested we should examine remission rates for prisoners. I recently signed new prison rules which are now in force and cover a wide range of issues, including that of remission.

Deputy Rabbitte made the case for establishing a police authority. It is a matter of record that I am not in favour of this, although I am not sure that in the short time available to me I can outline all my reasons for that. I hope it is an issue we can explore on another occasion. However, I make this point — Deputy Rabbitte referred to the fact that when parliamentary questions were tabled in the House, no adequate information could be obtained on operational matters. Were we to establish a police authority, that authority would find itself in precisely the same position this House finds itself *vis-à-vis* the operational side of the Garda Síochána. It could not of necessity intervene in operational matters because under our legal system the Garda's operational functions are accountable to the courts and the civil law, and are performed in that way. It does not seem to me that the argument in regard to the Garda authority turns on this point.

The idea of such an authority makes perfectly good sense in the context of the United Kingdom regional police structure, where there is no corresponding regional democratic unit, and in Northern Ireland. However, one point that is often overlooked with regard to the Northern Ireland Policing Board by those who suggest a similar authority for the Garda Síochána is that the Patten Commission recommended that a majority of the members of the board be from the elected Northern Ireland Assembly. I look forward to returning to this topic with Deputy Rabbitte and exploring whether the structures we have established go some way to meeting the concerns I know he has in this area.

The work of the Garda Inspectorate and the high level group, which has reported to me, have been of great assistance to me in implementing a reform programme involving the introduction of civilianisation at Garda Headquarters and examining the structures and operational techniques of the Garda. The reports of the inspector, to which a number of Deputies referred, have been very valuable in charting the direction we should take in the context of the reform of the Garda Síochána.

Deputy Rabbitte referred to community policing, which I agree is vital. In line with the Garda Síochána policing plan for 2007, the Garda Commissioner is currently preparing a new national model of community policy. A public

consultation process was recently completed and in preparing this new model the Garda Síochána is considering a wide range of issues, including service delivery, partnerships, the process of problem solving and accountability.

Several Deputies referred to and welcomed the new local policing committees. One issue I raised with the Garda Commissioner in this regard is the need to harmonise Garda divisional boundaries with the boundaries of the relevant local authorities. This issue has caused considerable difficulty in many areas where gardaí have found themselves reporting to several authorities. It is essential that there be a harmonisation. I know work on this subject is at an advanced stage at Garda Headquarters.

Several Deputies raised the question of the surveillance of our maritime space and the ease with which our coastal area could be accessed by vessels from other countries smuggling drugs to Ireland. Last Sunday, I signed a treaty in Lisbon establishing a new European centre for the surveillance of traffic that would possibly have narcotic cargoes. It will focus on interdicting large maritime cocaine shipments into Europe. The headquarters is based in Lisbon. It will involve staff of the Revenue Commissioners and members of the Garda Síochána and Naval Service working with their counterparts in six other states on the western Atlantic at a central intelligence centre in Lisbon. Seven European Union member states, including Ireland, participate in the programme at this stage. The pooling of intelligence resources drawn from naval, customs and police services will result in an improvement in the monitoring of suspicious vessels heading towards our waters and in the waters of the north Atlantic generally. I thank Deputies for their contributions and undertake to bring their concerns to the attention of the Garda.

Private Members' Business.

Health Services: Motion (Resumed).

The following motion was moved by Deputy James Reilly on Tuesday, 2 October 2007:

That Dáil Éireann,

recalling the promises made by the Taoiseach and the Minister for Health and Children in May 2007 that there would be no cut in frontline health services;

noting the:

- deterioration of critical frontline hospital services in recent months, as evidenced by the:
- loss of 30 nurses and four consultants from Sligo General Hospital;

- cancellation of dental services for children in Inchicore and Bluebell;
- dismantling of key services at mid-western regional hospital, Ennis;
- immediate closure of breast cancer services at 13 hospitals nationally without alternative services being available;
- closure of a 24-bed unit for the rehabilitation of elderly patients at Merlin Park Hospital, Galway;
- disuse of a 17-bed surgical ward at mid-western regional hospital, Limerick; and
- cancellation of essential suicide prevention training for applied suicide intervention skills training (ASIST);

calls on the Government to:

- ensure that frontline health services are not reduced and that any budgetary adjustments necessary are focused on administration and bureaucracy rather than essential frontline services.

Debate resumed on amendment No. 1:

To delete all the words after “Dáil Éireann” and substitute the following:

“acknowledges the continued increase in funding for health services over each year of the last decade and the associated expansion of a wide range of front-line services, including in 2007:

- the allocation of over €15 billion across Health Votes in 2007, an increase of 11.35% over the 2006 level;
- the increase of €245 million in services for older people, enabling the additional provision of step-down beds, long-term care, home-help hours, home-care packages and nursing home inspections;
- the increase of €100 million for services for persons with a disability, including Intellectual disability services, physical and sensory services, implementation of Part 2 of the Disability Act 2005 and a range of services within the mental health services remit;
- the provision of €70 million additional funding in the acute hospitals sector, allowing for the opening of new acute hospital units, improvements in neurology/neurophysiology services, and a further €10 million for the national treatment purchase fund;
- the provision of over €20 million for cancer control, including screening, acute services and research;

- the additional €22 million in primary and social cohesion programmes, including funding to continue the investment in primary care teams, sexual assault treatment units and social inclusion initiatives; and
- the continued commitment to the personnel management and development programmes with an additional €25 million, including funding for both medical and nursing training and education;

notes the high satisfaction levels with front-line health services shown in Insight 07, the most comprehensive, objective survey of public opinion on health services which was published last week;

reaffirms the statutory requirement that the Executive should manage its budget within the Vote approved by Dáil Éireann and acknowledges that the Executive has taken measures to ensure that it meets this objective in 2007, by means of its Breakeven Plan; and

notes that it is the intention of the Executive that these measures will not impact on planned front-line services, which will be maintained in line with the National Service Plan, and that provision is being made that where critical or essential vacancies arise, they may be filled by re-deployment of existing staff.”

—(Minister of State at the Department of Health and Children, Deputy Jimmy Devins)

Deputy Michael D. Higgins: I welcome the opportunity to speak on this motion. In terms of general principles, it is in everybody's interests that clear accountability be established in health policy. We have all suffered from a lack of definition in the transfer of responsibilities from Parliament to the Health Service Executive. I recall a paper delivered by former EU Commissioner with responsibility for health, Mr. David Byrne, to the Law Society in University College Dublin, in which he discussed the issue of the transfer of responsibilities. Mr. Byrne suggested that democracy and the Constitution required a clear policy envelope on the occasion of the transfer of powers, for which accountability resides in Parliament, to the Health Service Executive.

While it is not my intention to knock people who have been trying their best, the performance of the HSE in delivering accountability in health policy has been insufficient. Professor Drumm recently offered to meet parliamentarians to discuss how the executive could be more accountable. The 8.30 a.m. meetings in the audiovisual room are regarded by all those who attend them as a complete waste of time.

Deputy Mary O'Rourke: Absolutely.

Deputy Michael D. Higgins: Without seeking to make a party political point, when I raised this issue at the last such meeting during the previous Dáil most Deputies agreed that the meetings were nonsense. It is also nonsense to suggest that the issue at stake is anything more than the presentation of the HSE's image to elected representatives.

It is important to establish principles of policy provision which will be accountable in the Oireachtas. To give an example, universality of access is a principle on which we, as politicians, can differ. There are those who argue, in a dangerous manner, that one can provide for health based on market principles and that the ethos of competition will deliver a service for something as basic as health. I profoundly disagree with this view. Health policy must be structured in accordance with the theory and practice of citizenship. This requires building a model not on notions of co-location, which we have discussed elsewhere, but on principles of universality, namely, that which is required to meet need.

It is interesting that the Taoiseach uses aggregate sums when replying to questions on this matter. The Government amendment lists gross figures for expenditure, which does not answer a single question. It is unhelpful to provide units of cost rather than need because planning in health must entail planning in accordance with need and performance must be measured in terms of how need is addressed.

I have no difficulty in acknowledging the performance of medical practitioners in difficult circumstances. In 2005, I spent a number of weeks in Merlin Park Hospital having been operated on by an excellent team working in a building constructed in 1951. Although it was possible and necessary to modify this building, I later learned that the Health Service Executive failed to spend its full capital budget when it could have enhanced the capacity of health service staff to perform to an excellent standard.

The motion notes that a 24-bed specialist unit for elderly people — unit 4 — at Merlin Park Hospital faces closure. Unit 4 has a small gymnasium and patients are provided services in a single, compact space. Staff are trained in the use of certain types of equipment, assisting people in ambience and so forth. The unit's services and staff will now be scattered across the entire hospital. The public relations people tell us that a new, specialist unit will emerge by 2012. It does not make sense that a body which failed to spend its capital budget can close down a service that is meeting immediate needs on the basis of a nebulous commitment to provide a replacement service at some point in the future.

With regard to the guff about the national treatment purchase fund, performance in this area is uneven. Certain consultants, as their

receptionists have informed me, have waiting lists of three and four years which act as a barrier to access to the NTPF. That is a health policy matter. Unfortunately, Deputies no longer receive replies in the House when they ask questions on any health policy issue. Their parliamentary questions are fobbed off to the HSE's parliamentary affairs division. I no longer bother about names and titles because staff and their titles frequently change. When we gather at 8.30 a.m. meetings we are told that the problem lies with Members, that we, the elected representatives, are obtuse and that a new public relations initiative is needed to convince us that the HSE's performance is good rather than poor.

Capital expenditure has proceeded in some areas even though approval for staffing the facilities in question has been withheld. In Indreabhán i gContae na Gaillimhe, beidh eolas ag an Aire Stáit faoin gcaoi go bhfuil an t-airgead ar fáil ach níor tugadh cead na daoine a fhostú. It is interesting to note how we have arrived at the current position of the HSE being told it must live within its budget. It would be useful to examine how the current overrun in the executive's budget occurred. Although the cap on the public service side was instituted, those in charge would freely admit that they have been able to exceed budgets and overspend on privatised services. For example, with regard to the 80 or 120 home care packages in Galway city and county — the figure depends on how the calculation is made — it was possible to exceed the budget if one purchased these services from private providers. Across the entire system of the HSE, privatisation by stealth generated the current overspend. However, in responding to the current circumstances, no attempt is made at analysing how the overspend occurred. The people paying the price for the overspend are those who need the services, those who should be appointed and those who undertook training to meet skill shortages. Be it in respect of home help, home care packages and so on, we must analyse the reason for so much unscrutinised spending in the privatised section.

Minister for Health and Children (Deputy Mary Harney): May I share time with Deputies O'Hanlon, Finneran, Conlon and O'Rourke?

An Leas-Cheann Comhairle: Is that agreed? Agreed.

Deputy Mary Harney: I welcome the opportunity to discuss health matters for a second week. Notwithstanding a number of comments, it is important to put matters in context. Gross expenditure should be discussed despite the belief of some to the contrary. Many years ago, we underspent on health relative to other countries, but we spend approximately 8.9% of GNP currently. This is on a par with the OECD, comprising the world's 30 richest countries. Some

[Deputy Mary Harney.]

11% of our population is over 65 years of age whereas the relevant figure for OECD countries is 17%. On a purchasing power parity basis and factoring in inflation, the cost of living and so on, we spend \$2,596 *per capita* compared to an OECD average of \$2,500. These facts are not unimportant. Some 80% of Ireland's overall health spending comes from the public purse while the remainder is private funding. Across the OECD, the ratio is approximately 75:25. Our public spending increased from 78% three years ago.

Much is said about privatised medicine. The challenge for the public health care system is to supply services to patients in need. When we discuss waiting lists, we never refer to how 100,000 might be waiting for buses on any given day because the length of time people wait for treatment is the issue, not how many are waiting. The waiting period in respect of 17 of the top 20 procedures has decreased from two to five years to two to five months. Some 17,000 of those in question have been on the list for fewer than three months. We will never reach a stage where the hospital or service provider is waiting for people to appear, as it will be the other way around. In every health care system, there will always be a list of appointments for people seeking treatment. It is an issue of waiting periods, not of being on waiting lists.

Last Friday, Lansdowne Marketing, which is acknowledged as a reputable company in this field, and the public health institute at UCD published the findings of the independent research they carried out on those who had accessed the system rather than the wider population, as the latter gets its impression from the media or what is reported from the House. If we want to listen to those who have used the service, I will cite a number of statistics. Some 76% of inpatients were seen within a month, 11% were seen within three months, 4% were seen within six months and 4% waited longer than six months. This is a significant improvement on the situation a decade ago. In the past year, some 64% of our citizens saw their general practitioners on the day they sought the service, which is not the case in many countries. I could continue with more data. Those who use our hospital, community and GP services report high levels of satisfaction.

Deputy Pádraic McCormack: If they can get them.

Deputy Mary Harney: Including the good or very good category, the satisfaction level is more than 90%. It is a positive reflection on the public health care system.

Deputy Higgins referred to accessibility. Until the early 1990s, there was no universality. The VHI was established 50 years ago because 20%

of the population were not entitled to hospital services, but everyone has that entitlement today. I am a strong fan of maintaining this position. A hallmark of the new contract of employment for consultants will be access to diagnostics in public hospitals for every citizen on the basis of medical need rather than preference due to health insurance or the ability to pay.

Situations such as the Rosie case, which came to light last year, cannot be allowed. She was told by consultants that she could have her procedure immediately if she had insurance or else be put on a list. She waited six months. Access to publicly funding facilities should only be provided on the basis of medical need rather than a preference for one group over another. This is a fundamental principle in the ongoing negotiations between the Government, the management of the HSE and the consultant bodies. Were we to abandon some of our principles, we could have reached an agreement long ago.

Regarding the co-location of private hospitals, neither I nor the majority of taxpayers and patients care how services are funded. They want excellent services when required and as close as possible to where they live. GP services are a public private partnership of a kind in that the GP sees GMS and private patients without distinction. None of the people in a GP's waiting room knows who has a medical card. I support this system strongly because it works well. Moving more services from hospitals to the primary, community and continuing care sector is a strong feature of future policy.

Many public hospitals are hives of private enterprise. I do not understand why there was a hullabaloo when the previous Government sought to convert private beds funded by the taxpayer into public beds to which all patients have equal access. For many years, 20% of all public hospital beds have been ring-fenced for private patients while the taxpayer paid for the beds' running and capital costs, staff and diagnostics. Why should this be the case? We want to convert the beds for public use and have private beds co-located with public beds so that doctors are on site. Fine Gael has a problem in that regard. While it does not have an objection to private beds, it does not want them on site. Apparently, putting them five miles away is fine.

Concerning the measures taken by the HSE, every organisation, be it a sports club, political party or trade union, has an annual budget within which its management is expected to live. On a monthly basis, the board of the HSE monitors its budget and sends a report to the Government. It is a challenge for the HSE to live within its budget because there is always a large demand for services, but I do not understand the dire consequences predicted by some. Reference was made to the case of an anaesthetist going on holiday from Cavan General Hospital. There are

eight consultant anaesthetists and ten registrars in Cavan General Hospital and Monaghan General Hospital. Compared to hospitals elsewhere, this is a considerable resource. I do not know why a team of 18 cannot organise its work in such a way as to prevent the predictions broadcast this morning.

Regarding the 30 nurses at Sligo General Hospital, it has a nurse to bed ratio of 1.8:1 whereas Waterford Regional Hospital has 1.3 nurses per bed. The latter can operate on half a nurse less per bed than the former. Is it acceptable that a hospital with 1.8 nurses per bed can predict such dire consequences when informed that the 30 nursing positions used to cover holiday periods will no longer be available?

Reference was made to consultants earlier in the debate. One locum consultant was appointed to facilitate a consultant to attend the Medical Council. I was not aware until I became Minister for Health and Children that if a consultant is appointed to a body, a locum is appointed to replace him or her in clinical practice. It is a recent development. Another consultant retired and while his replacement was taking up his position, there was a transition period during which a locum was in place. The two locums in question are, therefore, surplus to requirements. I do not understand why we hear the things we do when we seek to point that out.

I heard a doctor speak this morning about 62 beds and 150 procedures per month in Galway, which represents an incredible ratio of beds to procedures. I told the House last week that when Professor Keane was appointed to oversee the reform of cancer services in British Columbia, he had ten inpatient beds for radiotherapy for a population of 4.1 million. There are 179 inpatient beds in this city for a similar population. Professor Keane could do with ten beds in British Columbia what we have 179 beds to do despite the very dispersed population in that part of Canada. Professor Keane made the point that improving services is all about re-organising how things are done.

I made the point to the House last week that the most expensive bed is a hospital bed. Unless a patient needs to be in a hospital bed, alternative hostel-type accommodation must be used as it is everywhere in the world. If we could get all Irish hospitals to perform to the standard of the best hospital in the country, we would greatly reduce the burden we face. If we could get close to the performance in Canada, where twice as many day procedures are performed, it would have an incredible impact on our acute hospital system. If we could go further and introduce best practice in respect of in-hospital stays for basic procedures, we would greatly improve the performance of our hospitals. In Ireland, a simple procedure like an appendectomy can require from three to six and a half days hospitalisation. Many

patients are in hospital over weekends when very little tends to happen. We must reform hospitals and acute hospitals in line with best practice in other European countries.

As part of the settlement with the nurses unions in May 2007, we agreed that 2.9 million hours per annum should be taken out of public nursing hours before June. Nurses would reduce their working week from 39 hours to 37.5 hours on a cost-neutral basis and without any diminution of services. If the failure to replace 200 to 300 staff each month to what I acknowledge will probably be the end of the year is to have the kind of consequences of which we are now hearing, I pose the question of whether we have the capacity to take 2.9 million hours out of the public health care system between now and June. I have yet to hear a nurse, doctor or other health care worker from the private health system complain about how awful the service is.

Deputy Pádraic McCormack: The Minister is not listening.

Deputy Mary Harney: I have certainly never heard them on the public airwaves saying how terrible it is. We hear such complaints frequently about the public health care system. It is a great pity as we can sometimes undermine confidence in our own system. We have a health care system of which we can generally be very proud. While there are gaps and deficiencies, the challenge of health care reform is to put them right and create a world-class service.

It is important to note on the HSE that for many years we failed as politicians to effect the changes which are normal practice in many other countries. I include myself having been a Member of the Oireachtas for 30 years. We do very poorly in cancer outcomes compared with other European countries, mainly as a result of the fragmentation of services.

The only area of cancer treatment in which we compare favourably is paediatric cancer treatment. The reason we do as well as the best countries in Europe in treating paediatric cancer is that treatment is centrally planned despite being delivered in 16 hospitals nationally. We intend to introduce a similar system to treat adult cancers. We will establish eight cancer centres for surgery. It is not safe for a general surgeon to treat breast cancer. All the evidence nationally and internationally suggests that if a unit does not treat 150 new cases annually, the outcomes are poor. If a surgeon carries out many other types of surgery as well, it greatly reduces the potential for a positive outcome. It is for this reason, the cancer strategy focused on the creation of centres of excellence. Given the choice, a patient will put quality services before geography. If one has a sick child, one will drive anywhere to have him or her treated. We would do the same for our-

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selves given the option. As most people will acknowledge, it is not possible to have standards of excellence for cancer treatment duplicated in every hospital. Experts are few and far between and we must ensure they work together to facilitate triple assessments and other systems.

Earlier in this debate, Deputy Reilly asked about the 13 centres which are to cease to treat breast cancer. Of these, the three at Cavan, Navan and Roscommon have already ceased to operate. A number of others at Loughlinstown, Naas and Tullamore carried out only one procedure annually and none carried out more than 15 in a given year. The HSE has made provision for patients to be treated for symptomatic breast cancer in the centres of excellence. A great many attacks have been made on the HSE by the Opposition and from this side.

Deputy Seymour Crawford: By Government Ministers.

Deputy Pádraic McCormack: They have attacked from west Galway.

Deputy Mary Harney: All of the reports which pre-empted health reform, including the Brennan and Prospectus reports, concluded that our system was too fragmented. Greater clarity and accountability was required. Given our small population, only a single organisation is capable of delivering the world-class service to which every Member aspires.

Deputy Rory O'Hanlon: I thank Deputy Finneran for sharing his time. It is important for the people I represent to have the highest level and quality of medical care for any illness from which they may suffer which equates to the level of service provided anywhere else nationally. I recognise the Minister's argument that the necessary level of service cannot always be delivered by the smaller hospitals and that people must travel to receive certain forms of treatment.

Significant changes have taken place over a number of years in the delivery of day-care services and primary care and these have given rise to concern at a number of hospitals including Monaghan General Hospital in my constituency. Monaghan General Hospital provides a very good medical service which is comparable with services available elsewhere and it should continue to be provided there. Day cases in surgery at the hospital are being dealt with very efficiently as are many others. While a new regional hospital is to be provided, it is imperative that existing services continue to be provided in Monaghan. We should be considering opportunities for the development of further services up to the time the regional hospital is provided. A good example is the development of the ear,

nose and throat service at Monaghan under the HSE transformation programme.

Adversarial politics does not always serve the best interests of people who are ill. To exaggerate circumstances and provide misleading information frightens patients. I would like those who are constantly critical to look more objectively at the true circumstances and consider how they can contribute to the actions necessary to ensure that everyone has equal access to state-of-the-art health care having regard to developments over the past 25 years.

Deputy Michael Finneran: I am pleased to have an opportunity to speak and compliment the Minister on a clearly focused determination to provide a world-class health service with the help of the HSE. By any standard, things have moved on dramatically. The figures provided by the Minister in this debate are a clear contradiction of the fraudulent figures provided by the Opposition over the past couple of days.

Deputy Paul Connaughton: They were provided by the HSE. The Deputy should not mention fraud.

Deputy Pádraic McCormack: That side knows a lot about fraud.

Deputy Michael Finneran: I am glad the Minister was able to put them on the record tonight so the Irish public can know the exact situation.

The Opposition has played a political game on the issue of private beds and hospital co-location. Everybody knows it is inappropriate for people to have the use of public funds and private beds in public hospitals at the expense of ordinary taxpayers. Somebody had to address the matter and I am glad that the Minister, Deputy Harney, was the person to do so.

With regard to my own patch, I have heard it said that cancer services ceased in Roscommon County Hospital within the past few days. In fact, cancer services were taken away from the hospital more than one and a half years ago. Clearly, people only woke up to that recently.

Deputy Pádraic McCormack: Was that the Government?

Deputy Michael Finneran: The Minister complimented the staff on the decision and their co-operation with the HSE. It was in the best interest of patients because we no longer had a surgeon who was competent in the area and I do not think the women of County Roscommon would want procedures carried out if they felt those responsible were not competent. In response to the BreastCheck situation, the mobile unit put in place by the Minister since the end of last April has screened 1,300 women from County Roscommon. I have been told the unit will

remain until the end of January, at which time everybody in the relevant category will have been screened.

It remains vital to provide 24-hour accident and emergency services in the area. That became even more apparent several nights ago, when a serious car crash occurred outside Roscommon town. Lives were saved as a result of what happened there. We should remember the part that geography plays and I hope the HSE will remember it is not easy to travel 80 miles across a rural area at night. It may take an ambulance 20 minutes to cross a city but it is a different story if one is travelling from Arigna mountains or Roosky.

Deputy Seymour Crawford: Exactly.

Deputy Michael Finneran: I am glad to have had the opportunity of making my contribution and I commend the Minister on the fine work she is doing.

Deputy Margaret Conlon: Health care provision is an emotive issue. No one disputes that we all want the best health care for our families, our friends and ourselves. That is why I welcome the opportunity to speak on an extremely important issue to me and to the people of counties Cavan and Monaghan. It is appropriate this should be my maiden speech in Dáil Eireann. It is vital this debate deals with the facts because there is no room for myths, presumptions or scaremongering.

For too long in County Monaghan, we have listened to negative spin which can and does dent patients' confidence in using the service. This Government remains committed to providing the best possible acute care to people living in the north east and providing the people of County Monaghan and the north east with the most modern, integrated, safe and patient-focused service ever devised in this country. That service will take at least five to seven years to become fully up and running and will be based around a regional hospital, with Monaghan and other local hospitals and community services providing the majority of health needs locally. International evidence confirms that the more frequently a surgeon performs specialised operations, the more successful the outcome for the patient. If I were having an operation on my gall bladder, I would rather be operated on by a surgeon doing ten procedures each week as opposed to ten each month.

The new integrated health services will be designed around clinical needs, offer better access to specialist services, provide more day care services, which are less invasive and mean less time spent in hospital, have the most up to date technology and equipment, provide improved critical care and have a better working environment for staff, which is important. Central to this new integrated health service is the development of primary care teams across County

Monaghan and the north east. Each team will include GPs, nursing staff and other therapists who work together to provide a comprehensive community health service to local communities.

The Government and the HSE have given a clear commitment that as health services in the region are developed, existing services will remain in place until they are replaced with higher quality, safer or more appropriate services. The health service is undergoing the biggest period of investment and reform since the foundation of the State. Monaghan hospital is also undergoing a major period of change, as are other hospitals. However, it will continue to meet the majority of the people's health needs. The regional hospital will provide emergency and trauma services on a 24-hour basis. It will also provide planned specialist procedures which are complex and require the facilities of a large regional hospital. The reality is that due to technological advancements, many procedures which would have required a long stay in hospitals can now be carried out as day procedures, which means patients can receive care in the appropriate setting.

Last night, the Opposition spokesperson on health, Deputy Reilly, referred to the stripping of services at the hospital. Perhaps it was not the Deputy's intention to mislead the house but I would like to clarify the situation nonetheless. This month, Monaghan hospital will open two new state-of-the-art medical wards catering for 50 patients at a cost of €5 million. This investment will allow the hospital to carry out a range of medical and day procedures for the people of County Monaghan. The beds to which Deputy Reilly referred were always surgical beds and were moved to Cavan General Hospital along with the surgical procedures and consultants. These beds were used as medical overflow beds and Monaghan hospital was never told it could increase the commissioning of medical beds. There are now 56 beds, including six additional high care beds. I realise the HSE and patients are facing significant challenges. However, it is important to highlight progress when it is being made. Contrary to local media and Opposition reports, ear, nose and throat services have not been discontinued and there is a proposal to expand these services in conjunction with Northern Ireland. Proposals have also been made to expand urology diagnostics and day procedures and to completely refurbish a dedicated day care services unit on the first floor of Monaghan Hospital. Waiting times for operations in counties Cavan and Monaghan have been dramatically reduced to three months or less, unless by choice or due to a medical condition.

I reaffirm my commitment to Monaghan Hospital. I will continue to fight to ensure appropriate services and to remain confident that any

[Deputy Margaret Conlon.]

member of my family can avail of high quality services.

An Leas-Cheann Comhairle: Deputy O'Rourke has two and a half minutes left.

Deputy Mary O'Rourke: I started with five minutes but pirates are everywhere. I congratulate Deputy Conlon on her maiden speech.

Deputy Jimmy Devins: Hear, hear.

Deputy Mary O'Rourke: I wish her many happy years of representing her constituency.

When the Minister was away from the House last week, I described her as a mighty woman. She should not let them get her down. There lie dragons everywhere, whether in the HSE or elsewhere.

Deputy Dan Neville: Senator Cassidy knows that.

Deputy Mary O'Rourke: She can rely on good servants in the Department of Health and Children and good friends. We would all agree that expenditure must be kept within limits but I ask why it went so far before anybody seemed to cop on. Why did nobody ask about galloping expenditure or shout "halt" some months ago? It is somewhat odd.

Deputy Pádraic McCormack: It is because there was an election.

Deputy Mary O'Rourke: That was some time ago. The HSE is growing into a massive monolith. It reminds me of Topsy in *Uncle Tom's Cabin*, who kept growing. I do not know how it is going to be put in shape or curbed.

I welcome the cancer care strategy because it is proper to have centres of excellence. Who would not want to visit such a centre rather than not know the outcome of a treatment? I hope the Hanly report will finally be introduced against a background of common sense. In addition to there being no hospital, the Health Service Executive is to close the death notification office in Athlone within three weeks. I spoke to the registrar in Roscommon today.

Deputy Mary Harney: It is moving to the Department of Social and Family Affairs.

Deputy Mary O'Rourke: The registrar said Athlone must be like Edenderry and Birr. They are lovely towns but they are certainly not like Athlone. Poor people tend to prefer to go into their own town to register deaths and they have been told they cannot do so from 5 November because the HSE has instituted this remarkable decision. While I have the Minister for Health

and Children, Deputy Mary Harney, captive in the House I ask her to attend to this as it should not be allowed to happen. I wish the Minister well in her endeavours and she may act puzzled if she so wishes but I phoned today and I was told that this would go ahead regardless of what I say before the House. I hope that common sense will prevail.

Deputy Dan Neville: I wish to share time with Deputies Durkan, Connaughton, McCormack, Ring, Burke and Tom Hayes.

Deputy Mary O'Rourke: They will barely get two and a half minutes each.

Deputy Paul Connaughton: They are lining up.

Deputy Dan Neville: I wish to deal with the final issue Fine Gael raised and that is the cancellation of essential suicide prevention training for applied suicide intervention training skills. I am disappointed the Minister of State at the Department of Health and Children, Deputy Jimmy Devins, has just left the Chamber because his first act was the cancellation of ASIST suicide prevention training throughout the country as a cost saving measure.

Deputy Mary Harney: He is listening to the Deputy's contribution.

Deputy Dan Neville: This sets the tone for the continued neglect by the Government of its commitment to the implementation of the recommendations of Reach Out: A National Strategy for Action on Suicide Prevention. The strategy was published in 2005 and was endorsed by the Taoiseach, Deputy Bertie Ahern, and his Government.

The strategy sought "to deliver on a partnership basis a national training programme for volunteers and staff of voluntary and community groups involved in mental health promotion and suicide prevention". Investment in suicide research and prevention is a continuing disgrace that borders on political immorality. The skills-based community training initiative known as ASIST, which stands for applied suicide intervention skills training, is a two-day skill based workshop that helps prepare individuals of all backgrounds to provide emergency aid and make life-assisting interventions for persons at risk of suicide. The aim of the programme is to enhance the ability to promote the immediate safety of a person at risk of suicide and provide links to further help. Training has been offered to multi-disciplinary and multi-agency personnel throughout the State by suicide resource officers. ASIST prepares care givers of all kinds to provide suicide first aid intervention. Professional volunteers and informal helpers need to know how to help a person with thoughts of suicide in a way that

increases suicide safety and to discontinue many such programmes is unacceptable. The Minister should be ashamed of closing these workshops as a cost cutting measure.

The ASIST programme trains the intervention care giver to identify people who have thoughts of suicide, understand how their beliefs and attitudes can affect suicide interventions, seek a shared understanding of the reasons for thoughts of suicide and reasons for living, review the current risk and development plan to increase safety from suicidal behaviour for an agreed amount of time and follow up on all safety commitments while assessing the further help needed.

The people who usually attend these programmes are the bereaved of suicide victims, teachers, parents, gardaí, citizens' information personnel, addiction counsellors and representatives of sporting organisations such as the Gaelic Athletic Association, GAA, Irish Rugby Football Union, IRFU, and Football Association of Ireland, FAI, as well as other organisations. The programmes are also attended by members of the public interested in playing a role in reducing suicide. Up to 40 of these programmes have been cancelled and the preparation work of suicide resource officers over the summer has been frustrated. Some suicide resource officers have been able to obtain community halls free of charge but they are often unsuitable as no facilities are available for people on an intensive two-day course that covers a very delicate subject.

People who volunteer to play a role in reducing suicide should be treated decently and have the chance to obtain a meal or tea, coffee and refreshments. It is very disturbing that when people become upset, as they do when addressing this delicate issue, there is no place in a cold hall to comfort them or offer a cup of coffee. This is no way to treat the trainers who introduce the ASIST programme or the volunteers that seek to reduce suicide in their communities.

To abandon these programmes and force the situation as the Minister of State has done in one of his first acts is a disgrace. The Minister of State should revisit this matter.

Deputy Bernard J. Durkan: Anything I say should not be taken as a personal criticism of the Minister for Health and Children, Deputy Mary Harney, but I strongly disagree with one remark she made. The Minister said people will drive a sick child almost anywhere to obtain treatment but that is not true. People with a child in need of urgent treatment will drive to the nearest hospital wherever it may be. Until the people on the other side of the House, who control these services, recognise this fact they are wasting their time.

We heard this sort of rubbish on countless occasions with regard to the location of the new children's hospital and one of its selling points was that it is on the Luas route and had train

services nearby. Nobody brings a child to hospital in an emergency by train, bus or other forms of public transport. In the middle of the night, countless parents are forced to take their children to hospital and in such an emergency they will always choose the nearest hospital available.

In past times, when many hospitals were available around this city, doctors would refer a patient to one hospital, then another and another until he or she found one that could cater for his or her patient. This facility is gone because of economics; it is deemed more efficient to cut back and remove hospitals. This idea of big is beautiful was adopted in the UK and it failed. Big is only beautiful if a selection of alternative services is available and competition exists.

I disagreed with the Minister long ago about the idea of one health board for the entire country and it still will not and cannot work. She may compare ours to any jurisdiction she wishes but the idea will simply never work. Instead the HSE will be subdivided into mini regions with various people fighting turf wars within the system. There is no accountability because although we can put questions to the Minister in the House, she can no longer answer for the health service. Instead when we put a question we receive a reply, sometimes curt, a week later merely stating that it is a matter for the Health Service Executive. The HSE seems not to understand why we ask such questions but we have a right to do so because the public demands to know.

The HSE is a department built on reports — the Minister's predecessor introduced the ten year strategy some years ago, then came the Hanly report and the Brennan report. How many other reports will there be before action is taken? This situation has emerged because the needs of the patient are not central to the health service; no reference is made to the convenience of the patient. Does anyone consider how painful it is to wait three, four or five months for a hip operation? Countless people in my constituency and others are in that situation, although the scoping reports do not seem to pick up on them. In the recent general election we met many such people but we received some fairly curt replies from the HSE when we raised their questions. I want to make it clear that it is a Deputy's job to raise questions in this House when a constituent has raised it with him or her. We have a right to accurate answers.

I believe the health service is best served by an available, accessible, accountable modern and efficient network around the country, but this does not seem to be the direction the Minister is taking. Instead the Minister seems to be applying plasters to the service's wounds. Naas General Hospital was mentioned as the most modern hospital around with its state-of-the-art, clean air theatres. Why are they not being fully utilised and for whose convenience are they being kept

[Deputy Bernard J. Durkan.]

empty? It is certainly not for the convenience of the patients as they are ready for treatment.

Why is it necessary to have waiting lists? Is it not as easy to simply perform an operation straight away, within a week of referral? It is surely as easy in the first week as it is six months later. If a procedure must be undergone in any event, what is the benefit of keeping a patient waiting? I compare the waiting time here to the experience I heard some time ago of a patient undergoing a procedure in another jurisdiction. The patient had an X-ray, received the result of the X-ray within two hours and was then referred for the procedure. A person might have to wait three months, six months or even a year to undergo tests here. The issues speak for themselves. We need to get back to basics and deal with patients' needs as opposed to providing for the convenience of an internal system.

Deputy Paul Connaughton: I listened to the Taoiseach today when he was trying to explain what has gone wrong with the health service. Many of the matters of which he spoke are not the services that I have grown to accept in the part of the world from which I come, but that is not the message I want to get across.

Many aspects of the health service are extraordinarily wrong but they are not highlighted as they should be. I speak about an area of the country that the Minister knows well. I refer to the services centred in the Ballinasloe health centre. Does the Minister realise that almost 2,000 children throughout the country have been denied ophthalmic services? The Ballinasloe health centre serves an area stretching from Creggs on the Roscommon border to Derrybrien near Gort. The consultant in this area retired a number of years ago and was never replaced. In addition, there is no area medical officer. The person who held that position has gone on to greater things and was not replaced.

I wish to refer to the provision of audiology and orthodontic services for children in schools. The Minister will be aware that under the Health Act a guarantee was given to every child under 16 years of age, irrespective of his or her parents' incomes, that he or she would be looked after at school level in terms of the provision of those services. That did not happen and it is not happening. That is nothing short of a disgrace.

I have often heard the Minister and Professor Brendan Drumm talk about the necessity to ensure that treatments are available at the earliest possible time and I agree. Will the Minister agree that it is important for a child with an eye-sight problem to have it rectified when he or she is a child? One can imagine the problems a child would face in later years if he or she did not receive treatment? These services are not being provided in the Ballinasloe health centre. It is a

disgrace that the failure to do so is silently being brushed under the carpet.

The Minister spoke of what has happened in terms of cancer care services and I do not have time to address that in regard to Ballinasloe. We all know what is happening. Unfortunately for the people of Ballinasloe, the cancer care services in place are being removed for the reasons outlined by the Minister. Everybody in the area is talking about the centre of excellence in Galway. That is an excellent centre but when I tried to visit a patient there last Monday I could not get in because there was a traffic jam for half a mile around the centre.

Deputy Pádraic McCormack: The Minister needs to open a private hospital.

Deputy Paul Connaughton: One can imagine what will happen when services are concentrated in the one hospital if proper access is not provided. That is an issue of which the Minister should take notice.

Another major issue is that of old people's homes. I refer to what were known as geriatric homes. I understand there was talk in Galway city and county in recent days, about which I assume we will hear more tonight, about unit 4 in Merlin Park Regional Hospital. I have been advised that four beds have been available in the main sector of St. Brendan's in Loughrea that were not used for the past month. I have heard many times in the Dáil of the long waiting lists. Where are the people who sought access to that service? What is happening in regard to that service? I am glad the Minister is present to hear what I have to say.

Deputy Pádraic McCormack: The purpose of this Fine Gael motion is to highlight the serious situation that has arisen in the health sector as a result of Government cutbacks and the embargo on the recruitment of staff. I wish to put some questions to the Minister for Health and Children, Deputy Harney. How can she and the Taoiseach, who spoke on this issue in the House this morning, say that cutbacks are not having any effect on the health service? How can they say that closing 24 beds in unit 4 in Merlin Park Regional Hospital will have no effect on the health of elderly patients who are all aged over 65? Some of these patients are in their 70s and 80s, and one is aged over 90. This unit was a highly specialised one, catering for the elderly with specialised facilities and the necessary support. The patients will now be dispersed to various wards which are already understaffed and that will naturally have a serious effect of them.

I understand that hospital 2, Merlin Park, which has over 20 orthopaedic beds in a rehabilitation unit, is also threatened with closure. I read this as a deliberate attempt to run down Merlin Park Hospital, perhaps with a view to selling off some of the land, as was promoted a few years

ago but resisted by myself and the people of Galway.

How can the Minister say that the Government cutbacks will have no effect when the service for breast cancer patients has been cut from five to two days at University College Hospital, Galway? How can the Minister and the Taoiseach say that patient services will not be affected when 40,000 people are on waiting lists for hospital treatment and thousands of people, the number of whom are unknown, are waiting for appointments to get on waiting lists. Currently, 12,000 adults are more than six months on waiting lists and 2,200 children are more than three months on waiting lists, all this despite promises before the general election that no one would be more than three months on a waiting list.

I will confine my questions to examples of how the cutbacks and embargoes are affecting services for elderly people in Galway, but these examples apply to any part of the country. I will give the Minister one more example of how people are suffering and I would like an answer in response. I dealt with a case recently of a man in County Galway who is looking after his mother in her own home. This woman is in her 80s. He had the benefit of a home help service for eight hours per week. One of the home helpers retired so his service was cut to four hours per week. Despite my best efforts and unbeknown to HSE personnel dealing with this case, I was told last week that a home help could not be recruited and that the woman need not bother coming in for an interview because there was an embargo on the recruitment of staff. This elderly woman may now have to go into residential care, all for the saving of €40 or €50 per week. The members of the Government should be ashamed of themselves. How can I explain to this man that a saving of €40 or €50 a week is denying him four hours per week of home help to enable him care for his mother?

The Taoiseach said this morning that the expenditure in the HSE must be cut back. How can the HSE book a hotel for interviews for middle management staff and interview 200 applicants when it cannot interview one person to provide a home help service for four hours per week? I am sure the Minister does not have a answer to that.

How can the Minister justify this situation when the Government has wasted so much taxpayers' money? The Taoiseach said we must save money. We wasted €50 million on e-voting machines over the past four years and it costs us €700,000 a year to store them. How could the Department of Health and Children spend €150 million in 2005 on the PPARS computer system, which was estimated to cost €8.8 million but ended up costing €150 million before the project was suspended? How can the Taoiseach spend €600,000 per year on special advisers? Is it true

that they are hired to write positive spin for the Taoiseach every Sunday in the *Sunday Independent*?

How do I explain to the man who is seeking a home help for four hours a week to care for his mother that the Taoiseach spends €12,000 a year on make-up? Can the Minister answer that question when this man cannot get a home help for four hours a week to care for his mother in his home rather than send her into institutional care? The members of the Government ought to be ashamed of themselves.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Michael Ring: I wish to ask the Minister a straightforward question. How can we pay Professor Drumm a bonus of €80,000 when the health service is in disarray? The only other person who received an award such as that was Eddie O'Sullivan when he got his contract before the team played in the Rugby World Cup. How can we pay a man a bonus of €80,000 when the health service is in disarray? I want the Minister to answer that question when she responds. It is a disgrace. I would pay the man €2 million a year if he got it right, but he has not got it right.

I visited a man the other day who was very sick. When the doctor told him he had to go to hospital, he cried and pleaded with his son and daughter not to send him. He said if they sent him into hospital, he would come out with MRSA or might not come out at all. Is it not a disgrace that people are afraid to go into hospital because of MRSA and that we cannot even get the matter of basic cleanliness right? Is it not a disgrace that some people go into hospital and come out worse than they went in with MRSA? Something must be done to improve our health service.

I agree some people who get a hospital bed are happy they have got a good service. However, other people are waiting for hip operations, cancer treatment and back operations. It is not right they must wait. Most of these people waiting for operations are elderly and have paid their taxes to the State. The Taoiseach and the Minister tell us daily the Government has never put as much money into the health service. If we have never put as much money into it, why is it in such disarray? Why are so many people pleading with us politicians in an effort to get beds or appointments in hospitals in Dublin and their own towns and cities? The situation is disgraceful and something must be done to deal with it once and for all.

The Minister for Health and Children has talked about centres of excellence for each region, yet currently we cannot get people to hospital appointments, particularly people from areas like north, south and east Mayo. They need to travel distances of 70, 80 or 150 miles but they cannot get to their appointments because the

[Deputy Michael Ring.]

HSE will not transport sick people to them. This is a disgrace when such a small budget is required for it.

I visited the HSE the other day and saw a jeep parked outside. The jeep is equipped for the man in charge with a mobile phone and every kind of equipment he could need. There is even a place for him to rest if he gets tired travelling from Mayo to Castlebar or Roscommon to visit the ambulance service. We have too many bosses, but not enough doctors and nurses. We do not have enough people dealing with those who are sick.

I attended a meeting the other day where I heard every excuse as to why the HSE could not bring patients to hospital appointments. What would it take to bring them? In the context of the overall budget of the HSE it would not cost €1 million to bring them to their appointments. The other day I referred the case of a woman who has not been able to take up her appointment with Merlin Park Hospital for 12 months to the ombudsman. I hope his office will act on the matter because there is no point in referring it the Minister because she would transfer it to the HSE which could take up to six months to reply, by which time the woman may be dead.

Deputy Ulick Burke: The Minister mentioned earlier that when she heard on “Morning Ireland” this morning that 150 orthopaedic procedures were carried out in two units of Merlin Park Hospital she thought it was incredible.

Deputy Mary Harney: I said the bed rate to procedures was very high.

Deputy Ulick Burke: The Minister was selective in what she said, or else she does not understand what is happening on the ground. The reality is that the HSE, under the Minister’s jurisdiction, proposes to close 27 of the 62 beds available that allow that incredible number of procedures to be carried out per month in Merlin Park Hospital. The Minister is presiding over that proposal. We welcome her issue of the report of the number of procedures done, but the reality is she proposes to cut that number.

The Minister’s amendment to the motion states there is associated expansion in the area of step-down beds in the HSE. The Minister visited St. Brendan’s Hospital in Loughrea recently, before the election, and declared she would provide —

Deputy Mary Harney: I visited it two years ago.

Deputy Ulick Burke: More recently.

Deputy Mary Harney: No.

Deputy Ulick Burke: Well, the Deputy’s former leader visited it and uttered the Minister’s words in her absence.

Deputy Mary Harney: Was he in drag?

Deputy Ulick Burke: The situation then was that a 40-bed unit would be provided. However, in the past two years since Deputy Harney’s visit, the hospital has gone from 187 beds to 72 beds for the elderly in this public hospital in County Galway. The only stroke unit we have in the west of Ireland, in Merlin Park Hospital, is now also under threat despite the great attention of the medical personnel there who developed it into an important unit from nothing through their own endeavour. Now the Minister, over the HSE, has decided to disband the unit and it will take years to redevelop the facility.

Deputy Pádraic McCormack mentioned the home help service. The Minister has no idea of what is happening on the ground in this regard. I will tell her. If someone in the west phones the HSE and informs it for example that someone aged 93 or over has come out of hospital and needs home help to be provided, the response will be “No” because the HSE cannot employ any more home helps. It may be able to give the person one hour’s help if it takes that hour from somebody else or it will offer €200 for the person to employ someone, but they must provide PRSI and all other tax details on the person they employ. A person of 93 years should not have to deal with such details to avail of the €200 for such help, but that is the reality of the service over which the Minister presides. Is it any wonder the Minister’s colleague says dealing with the HSE is infuriating? He knows about it and I presume he was trying to do something for his constituency when he found it so infuriating.

Furthermore, the Minister is removing funding from Portiuncula Hospital’s breast cancer services and bringing it to the centre of excellence which cannot do the procedures done in Portiuncula. That is what the Minister is doing. The HSE is disintegrating in front of her eyes, but she is doing nothing about it.

Deputy Tom Hayes: I congratulate my county colleague, Deputy Hctor, Minister of State at the Department of Health and Children, and wish her the best of luck on her new appointment.

I welcome the opportunity to speak on this crucial issue at this time of crisis in the health service. Where should one start in convincing the Government of the seriousness of this issue? Just a few months ago the Government promised the health services would develop and be fully supported over the coming years, but these empty promises have been broken. In the past few weeks we have seen a recruitment freeze and the closing down of spending by the HSE. Despite questions on behalf of constituents, the Opposition is still in the dark about how long this will continue——

Deputy Pádraic McCormack: It will go on for the rest of the year.

Deputy Tom Hayes: —and how it will impact on local services. It has already had a significant impact in south Tipperary over the past three weeks, particularly in the hospital in Clonmel which has seen the closure of one operating theatre and six surgical beds. There has also been a reduction in operations and elective procedures and a restriction on day cases to essential day case gynaecological procedures only. These changes have been brought about after only three weeks of a so-called temporary freeze which the Minister has tried to convince us would not compromise patient care.

I urge the Minister to listen to what we are saying and inform us how increased pressure on already short-staffed wards does not impact on patient care. How does the cancellation of psychological services, physiotherapy, respite care and home help services for patients with debilitating neurological disorders not adversely affect patient care? How does cancelling dental treatment for children in Dublin not adversely affect patient care? What level of care is the Minister using to assess patient care when she makes that statement?

The Minister should leave the nurses alone and tackle management. That is where we have failed in every debate since we started discussing health services. In the old health boards and in the present structure, we have failed to tackle mismanagement in the health service, and I beg the Minister to do something constructive about that.

Minister of State at the Department of Health and Children (Deputy Máire Hootor): The Government's motion is based on a recognition of the continued increase in funding for health services over each year of the last decade and the associated expansion of a wide range of frontline services and the high satisfaction levels with frontline health services shown in Insight 07, the most comprehensive, objective survey of public opinion on health services which was published last week. The Government motion also reaffirms the statutory requirement that the executive should manage its budget within the Vote approved by Dáil Éireann and acknowledges that the executive has taken measures to ensure that it meets this objective in 2007 by means of its break-even plan; and that it is the intention of the executive that these measures will not impact on planned frontline services, which will be maintained in line with the national service plan, and that provision is being made that where critical or essential vacancies arise, they may be filled by redeployment of existing staff.

As the Minister of State, Deputy Devins, noted in his contribution last evening, there are some very positive aspects of our current health service which are worth reiterating. Life expectancy in Ireland has increased steeply since 1999 and the

2005 figures show that life expectancy at birth is 79.59, an increase of 3.5 years. As a result our life expectancy is now considerably higher than the new EU27 average.

It is also important to acknowledge some of the key results of Insight 07, the recent customer service satisfaction survey undertaken by the HSE. Of particular note are the overall ratings with regard to quality of care, where 64% of inpatients, 58% of outpatients, 84% of GP patients and 76% of other community services rated their experience as excellent or very good.

My area of responsibility is services for older people and over the last two budgets, we provided the largest expansion ever in health services for older people, with €400 million additional current funding. Budget 2007 provided an additional €82 million for community services, 2,000 extra home care packages, benefiting 4,000 people at a cost of €55 million, 780,000 additional home help hours at a cost of €18 million, 1,100 more day places at a cost of €3.5 million, €5 million for expanded palliative care services and €500,000 for sheltered housing.

We have now increased the nursing home subvention from €190 maximum to €300 per week. We also provided €30 million for enhanced subvention. We are overhauling the way nursing home care is financed to remove the unfairness of the present system. No person in the care or his or her spouse will ever be forced to sell or mortgage their house to pay for care. Legislation to underpin the scheme is being prepared with a view to commencing the scheme in January 2008.

The Health Act 2007 established the Health Information and Quality Authority on a statutory basis. It also provides for the registration and inspection of all nursing homes, public, private and voluntary. Inspections will be carried out by the social services inspectorate, part of HIQA. New standards are being finalised and, for the first time, a care plan for each patient will be required.

The Health Service Executive has initiated an independent review of all acute hospital services in the mid-west region and how they can be developed in accordance with best practice. The consulting group Horwath Consulting Ireland, in association with Teamwork Management Services, is finalising the report on the review of acute services in the mid-west which is expected to be submitted to the HSE board by year end. Recommendations for the future configuration of clinical services, including accident and emergency, critical care, acute medicine and surgery, together with diagnostic services such as X-ray, for each of the hospitals in the mid-west area will also be set out in the report.

A cardiac clinical nurse specialist was redeployed in Ennis General Hospital on one day only to theatre recovery. It was imperative to the service and she has not been redeployed since and no other nurse has been redeployed. It is logical that staff would be redeployed to the areas

[Deputy Máire Hctor.]

of greatest need in the best interests of patient care and safety.

An internal staffing review was conducted in Ennis General Hospital. Unions were told in advance that any recommendations for staffing increases would have to be processed through the service planning process. This review recommended an increase of 26 staff, nurses and health care assistants. The matter is under consideration as part of the Estimates process for 2008.

The record shows that this year our health services and indeed in every year since 1997 have seen significant increases in funding, staffing and patient services. The HSE is managing services with the objective of avoiding any impact on frontline services and patient care and maintaining them in line with the national service plan for 2007.

Deputy Kieran O'Donnell: The Minister for Health and Children stands indicted by the state of the health service. In my constituency, Limerick East, for the past ten days 50 beds have been idle, with a 17 bed general surgical ward in Limerick Regional Hospital and 35 beds in St. John's Hospital remaining unopened since the start of the summer. That happened because every summer the ground floor ward in St. John's is closed as result of budgetary constraints but when it was to reopen in September, the hospital found an embargo had been put in place. The Minister talks about co-location but that is a joke because we cannot even use the existing beds. There was no cost benefit analysis of the co-location system.

The HSE has clearly failed in the three years since its formation. In the report of the Comptroller and Auditor General for 2006, the financial systems within the HSE are damned on page 136 and on page 141 this stance is supported by the Department of Finance. The Comptroller and Auditor General stated that the Accounting Officer said he was aware of the difficulties caused by the lack of a proper financial management system and he shares the Comptroller and Auditor General's concerns in this regard. The HSE is a €14 billion business organisation with a manual system in place in certain areas. That is one of the reasons for the mess in which it finds itself. Its reporting is chronic, it did not flag the €200 million early on. Professor Drumm should be handing money back from his salary, not taking an €80,000 bonus. It is a disgrace.

The Comptroller and Auditor General's report features another interesting statement. For the former Mid-Western Health Board area, the underspend was €32 million in 2006 but in corporate services and management in the HSE there was an overspend of €17 million. It was supposed to spend €27 million but spent €45 million, almost 70% above the original target.

I am interested in the Disability Act passed in 2005. Section 8 in Part 2 of the Act dealt with an

assessment of needs for children up to five years of age. They are entitled to an assessment after three months and legally to a report after a further three months. Where does that stand while the embargo is in place? Existing therapy service staff, not new staff, are being used to carry out assessments.

I call on the Minister to demand of the HSE that there are no further embargoes on frontline staff, to stop all bonus payments to management and to implement the review of the HSE reporting system, which is an absolute disgrace.

Deputy Tom Sheahan: My colleagues may not be aware of what is happening in County Kerry. In Kerry General Hospital we are on our third locum accident and emergency consultant. The post has been advertised by the HSE but no one is willing to take up the position because they do not have the registrars, SHOs or junior doctors. Why would anyone take a senior post when the support is not there for them? This has been going on for a number of years and it is about time to remedy the situation. The last resident accident and emergency consultant in Kerry General Hospital left for Tullamore and is now a member of a team of three accident and emergency consultants there. There are five registrars and ten HSOs at a hospital with the same output of 39,000 patients as Kerry General Hospital. I am calling on the Minister to take action. My colleagues have referred to cutbacks, but we have been suffering from this for years in Kerry. We have sought a specialist nurse to treat the 300 patients suffering from Parkinson's disease in Kerry, but it has proved impossible to get one. That situation needs to be addressed.

I was contacted by a man recently whose 86 year old mother is suffering from Alzheimer's. He is keeping her at home for the sake of her dignity. He was refused the respite care grant because he works more than 15 hours on his farm. If he was not working more than 15 hours on his farm he would not be able to keep himself, never mind keeping his mother at home.

Deputy Seymour Crawford: I am glad the Minister is here and I welcome that valuable change in a health debate. I also welcome the fact that Deputy O'Rourke pointed out the Minister's failure to control spending on the HSE. The Minister is in control and must take responsibility. The original motion did not include the new cutbacks in Monaghan Hospital. The reopening of two reconstructed wards at a cost of approximately €5 million should have been a good news story for the people of Monaghan, but the Government and the HSE have introduced further cutbacks. The HSE says it only involves a cutback of ten to 12 beds, from what was available during the refurbishment process whereas, in fact, it means that a modern, recently upgraded 25-bed ward is being decommissioned. Ten years ago there were over 140 beds in Monaghan General Hospital

with a full service. What is being done to the consultants and staff of the hospital through simple e-mails from the backroom boys is completely unacceptable. There was no forewarning or prior discussion and clearly no care for patients and their families.

The Fianna Fáil-led Government promised so much just weeks before the election, not just for Ennis and other hospitals but also a new ENT, ear, nose and throat, service for Monaghan. While I welcome my colleague Deputy Conlon's contribution, she failed to mention the fact that the service she offered people before the election is now gone.

The Minister of State, Deputy Smith, and his colleagues who represent the Cavan-Monaghan area, should realise what is being done in the name of progress and what is clearly planned. We all have a duty to take political responsibility on behalf of those we represent, rather than simply handing over patients' lives to advisers from a failed British system.

The last time Monaghan General Hospital was off call, up to 17 lives were lost because people were not allowed through the door. Mr. McCullough, who lived only 500 yd. away, was refused admission to the hospital where he would have obtained relief and care. He died on the way to Cavan. Perhaps the Minister can meet the people in the Gallery tonight. They have travelled from Monaghan and now expect their public representatives to stand together and fight for hospital services there.

In Scotland, which is only now seeking independence, they are building new local hospitals rather than dismantling high quality buildings containing beds and theatres, which is wanton waste. How can any Minister stand over the fact that patients who should be dealt with in the Cavan-Monaghan hospital structure are either going through the VHI or the National Treatment Purchase Fund to private hospitals in Mullingar and Galway? They will be dealt with by the same personnel who left the Cavan-Monaghan hospital system because of the then health board management's failure to deal with them.

The situation in Monaghan General Hospital is dire. For my colleagues on the Government benches to have said that there would be no changes and that the service would be retained was not true, to put it mildly.

Deputy Caoimhghín Ó Caoláin: Shame.

Deputy Seymour Crawford: I am asking the Minister at this late stage to at least consult with the people of Monaghan. She should meet them here or elsewhere, but she should meet with them before it is too late and more lives are lost. HSE personnel intend to take away further services. The special treatment room does a marvellous job, better than anywhere else in the country. It is working well so why withdraw it? Why is the

high care unit being taken away? That should not be done either. The Minister should ensure that, at least until better services are put in place, they should be retained there, yet she will not do so.

Deputy James Reilly: I wish to start on a positive note. I see my old friend, Mr. Tom Mooney, there from the Department of Health and Children. He knows that I always try to see the positive side of things. I welcome the fact that Fine Gael pressure has resulted in the cuts in surgeons at Sligo General Hospital being forestalled for three months at least. We have also stimulated the resumption of dental services at Bluebell and Inchicore, although this will not happen until November. This shows that the Government can act when it has the political will to do so. The Taoiseach and the Minister for Health and Children now believe that if they say something often enough, then it is so. We are back to the good old days. "There will be no cuts" was the mantra of the Taoiseach and the Minister on Newstalk before the election a few short months ago. Now we see the truth, however, which involves cuts of frontline patient services all over the country. They say the cuts will not affect patient care, but operations have been cancelled at Cavan. In addition, reduced bed availability means more patients are on trolleys in accident and emergency in Galway. Cardiology clinics in Crumlin for small babies and sick children are under threat in October and November.

What about the new cancer strategy for the future? We dismantled the existing service with immediate effect, only to find a week later that the western HSE has deferred 184 posts, which will reduce breast cancer services from five to three days a week at its proposed designated centre of excellence. What provision has the Government made for transport services from the hospitals that are closing down their services and transferring them to centres of excellence? I am told that little or no such provision has been made as the transport budget has actually been cut. The Minister refuses to listen to her own colleagues. Deputy O'Rourke said she does not support the PPP process or bilocation, which she believes cannot deliver the cancer strategy. The Minister's Cabinet colleague, Deputy Ó Cuív, cannot make head nor tail of it. He said the HSE was impossible to deal with. In deference to the Minister I will not mention Tallaght. Deputy O'Connor, who is always a reasonable man, tells the Minister that the HSE should get its act together. The Minister of State, Deputy Devins, expresses concerns regarding HSE cuts in Sligo General Hospital.

Why is there no health committee in this Dáil four months into the new term? Is this an example of how seriously the Government treats health issues? Why have we had nine months of mismanagement of the HSE budget? As the Minister's own Government colleague asked, what happened to the monthly control to which

[Deputy James Reilly.]

the Minister alluded earlier? Why after nine months do we find panic stations with frontline services being cut? We have seen operations cancelled at Cavan-Monaghan hospital. I welcome the representatives of the Cavan-Monaghan action group here. Deputy Crawford and the Monaghan hospital action committee have been fighting tooth and nail to hold on to existing services, and who would blame them?

This is a case of live horse eat grass — you can have it tomorrow but we are taking away what you have today. Anybody who buys into that is surely naive. Serious operations are being cancelled and some people are waiting up to two years for their operations. It is objectionable that a HSE spokesman on the radio describes these as minor operations. Everyone waiting for the operations would require a general anaesthetic, a serious event in itself carrying its own risks and morbidity. These people, and their families, suffer stress and worry as they prepare for their operations and it is not good enough that they should be cancelled on a whim. This does not serve the people.

A total of 41,000 people are on waiting lists and one of the longest lists is at Beaumont Hospital. For the Minister and the Taoiseach, wherever he is tonight, the reality is that today at Beaumont nine ambulances were tied up waiting for patients to vacate trolleys. One patient collapsed and had to be treated on the floor of the accident and emergency unit. What happened to my parliamentary question asking that spare trolleys be left for ambulances?

Under Charles Haughey Fianna Fáil had a campaign slogan, “Health cuts hurt the old, the sick and the handicapped”. That is particularly applicable in the current climate of swinging cuts to frontline services. Another phrase from that era sums up the Government’s attitude to the health services, “GUBU” : it is “grotesque” that patient care is sacrificed for supposed fiscal rectitude when there is an alternative available in the form of delivering efficiencies from the burgeoning bureaucracy in the health service. It is “unbelievable” that Ministers persist in denying that patient care will be affected by cutbacks when it is clear that an attack on frontline delivery affects patient care. It is “bizarre” that the Government can announce a strategy on cancer one week and cut the delivery of cancer services the next. It is “unprecedented” that a Minister and architect of the Health Service Executive should now abdicate responsibility for its functions saying it is impossible to deal with.

The Government’s attitude to the HSE is that of Frankenstein to his monster, it is prepared to reject it or use it as a shield when it suits. It is not unprecedented, however, that severe cutbacks should closely follow the return of Fianna Fáil and the Progressive Democrats to Government. Despite all the defences they have put up it cannot be denied that patients are being punished for the overspending of a Government agency. I ask the Minister again to put the patient first and ensure that frontline services are not affected by these cutbacks.

Deputies: Hear, hear.

Amendment put.

The Dáil divided: Tá, 80; Níl, 66.

Tá

Ahern, Michael.
Ahern, Noel.
Andrews, Barry.
Andrews, Chris.
Ardagh, Seán.
Aylward, Bobby.
Behan, Joe.
Blaney, Niall.
Brady, Áine.
Brady, Cyprian.
Brady, Johnny.
Browne, John.
Byrne, Thomas.
Calleary, Dara.
Carey, Pat.
Collins, Niall.
Conlon, Margaret.
Connick, Seán.
Coughlan, Mary.
Cowen, Brian.
Cregan, John.
Cuffe, Ciarán.
Cullen, Martin.
Curran, John.
Dempsey, Noel.
Devins, Jimmy.
Dooley, Timmy.
Fahey, Frank.
Finneran, Michael.

Fitzpatrick, Michael.
Fleming, Seán.
Flynn, Beverley.
Gallagher, Pat The Cope.
Gogarty, Paul.
Gormley, John.
Grealish, Noel.
Hanafin, Mary.
Harney, Mary.
Haughey, Seán.
Healy-Rae, Jackie.
Hector, Máire.
Kelleher, Billy.
Kelly, Peter.
Kenneally, Brendan.
Kennedy, Michael.
Kirk, Seamus.
Kitt, Michael P.
Kitt, Tom.
Lenihan, Brian.
Lenihan, Conor.
Lowry, Michael.
Mansergh, Martin.
McEllistram, Thomas.
McGrath, Finian.
McGrath, Mattie.
McGrath, Michael.
McGuinness, John.
Moynihan, Michael.

Tá—continued

Mulcahy, Michael.
 Nolan, M. J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Brien, Darragh.
 O'Connor, Charlie.
 O'Flynn, Noel.
 O'Hanlon, Rory.
 O'Keeffe, Batt.
 O'Keeffe, Edward.
 O'Rourke, Mary.

O'Sullivan, Christy.
 Power, Peter.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.
 Woods, Michael.

Níl

Bannon, James.
 Barrett, Seán.
 Broughan, Thomas P.
 Bruton, Richard.
 Burke, Ulick.
 Byrne, Catherine.
 Carey, Joe.
 Clune, Deirdre.
 Connaughton, Paul.
 Coonan, Noel J.
 Costello, Joe.
 Coveney, Simon.
 Crawford, Seymour.
 Creed, Michael.
 Creighton, Lucinda.
 D'Arcy, Michael.
 Deasy, John.
 Deenihan, Jimmy.
 Doyle, Andrew.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Feighan, Frank.
 Ferris, Martin.
 Flanagan, Charles.
 Flanagan, Terence.
 Gilmore, Eamon.
 Hayes, Brian.
 Hayes, Tom.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.
 Kenny, Enda.

Lynch, Ciarán.
 Lynch, Kathleen.
 McCormack, Pádraic.
 McEntee, Shane.
 McHugh, Joe.
 McManus, Liz.
 Mitchell, Olivia.
 Naughten, Denis.
 Neville, Dan.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Donnell, Kieran.
 O'Keeffe, Jim.
 O'Mahony, John.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Penrose, Willie.
 Perry, John.
 Rabbitte, Pat.
 Reilly, James.
 Ring, Michael.
 Shatter, Alan.
 Sheahan, Tom.
 Sheehan, P. J.
 Sherlock, Seán.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Tuffy, Joanna.
 Upton, Mary.
 Varadkar, Leo.
 Wall, Jack.

Tellers: Tá, Deputies Tom Kitt and John Curran; Níl, Deputies Dan Neville and Emmet Stagg.

Amendment declared carried.

Deputy Dan Neville: Given this vital issue and in view of the non-co-operation in certain areas, I demand a vote through the lobby.

Question put: "That the motion, as amended, be agreed to."

An Ceann Comhairle: The vote will proceed.

The Dáil divided by electronic means.

Question again put, "That the motion, as amended, be agreed to."

The Dáil divided: Tá, 80; Níl, 65.

Tá

Ahern, Michael.
 Ahern, Noel.
 Andrews, Barry.
 Andrews, Chris.
 Ardagh, Seán.
 Aylward, Bobby.
 Behan, Joe.
 Blaney, Niall.
 Brady, Áine.
 Brady, Cyprian.

Brady, Johnny.
 Browne, John.
 Byrne, Thomas.
 Calleary, Dara.
 Carey, Pat.
 Collins, Niall.
 Conlon, Margaret.
 Connick, Seán.
 Coughlan, Mary.
 Cowen, Brian.

Tá—continued

Cregan, John.
 Cuffe, Ciarán.
 Cullen, Martin.
 Curran, John.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.
 Fahey, Frank.
 Finneran, Michael.
 Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.
 Gallagher, Pat The Cope.
 Gogarty, Paul.
 Gormley, John.
 Grealish, Noel.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Hoctor, Máire.
 Kelleher, Billy.
 Kelly, Peter.
 Kenneally, Brendan.
 Kennedy, Michael.
 Kirk, Seamus.
 Kitt, Michael P.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.

Lowry, Michael.
 Mansergh, Martin.
 McEllistrim, Thomas.
 McGrath, Finian.
 McGrath, Mattie.
 McGrath, Michael.
 McGuinness, John.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M. J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Brien, Darragh.
 O'Connor, Charlie.
 O'Flynn, Noel.
 O'Hanlon, Rory.
 O'Keeffe, Batt.
 O'Keeffe, Edward.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 Power, Peter.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.
 Woods, Michael.

Níl

Bannon, James.
 Barrett, Seán.
 Broughan, Thomas P.
 Bruton, Richard.
 Burke, Ulick.
 Byrne, Catherine.
 Carey, Joe.
 Clune, Deirdre.
 Connaughton, Paul.
 Coonan, Noel J.
 Costello, Joe.
 Coveney, Simon.
 Crawford, Seymour.
 Creed, Michael.
 Creighton, Lucinda.
 D'Arcy, Michael.
 Deasy, John.
 Deenihan, Jimmy.
 Doyle, Andrew.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Feighan, Frank.
 Ferris, Martin.
 Flanagan, Charles.
 Flanagan, Terence.
 Gilmore, Eamon.
 Hayes, Brian.
 Hayes, Tom.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.
 Kenny, Enda.

Lynch, Ciarán.
 Lynch, Kathleen.
 McCormack, Pádraic.
 McEntee, Shane.
 McHugh, Joe.
 Mitchell, Olivia.
 Naughten, Denis.
 Neville, Dan.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Donnell, Kieran.
 O'Keeffe, Jim.
 O'Mahony, John.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Penrose, Willie.
 Perry, John.
 Rabbitte, Pat.
 Reilly, James.
 Ring, Michael.
 Shatter, Alan.
 Sheahan, Tom.
 Sheehan, P. J.
 Sherlock, Seán.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Tuffy, Joanna.
 Upton, Mary.
 Varadkar, Leo.
 Wall, Jack.

Tellers: Tá, Deputies John Curran and Tom Kitt; Níl, Deputies Dan Neville and Emmet Stagg.

Question declared carried.

Adjournment Debate.

Hospital Services.

Deputy Mary O'Rourke: I am pleased to have an opportunity to air this matter. The shockwaves that were felt following the suspension of the delivery of breast services at Barringtons Hospital escaped many within the health service. A medical upset was caused, especially among women, when events unfolded there and Professor Drumm announced the HSE had no authority to investigate matters in Barringtons Hospital because it is a private hospital. The questions began to mount up and I cannot understand why there has been so little discussion of the matter.

It almost appears the issue is a reverse of the norm. Is it the situation that the Health Information and Quality Authority, HIQA, judges public hospitals but, as yet, does not have the legislative power to extend its remit to private hospitals? We have the ridiculous situation whereby if one pays money, one does not know what standard one will get, but if one does not pay, one is sure of decent standards.

Perhaps I am taking things up wrong. A number of people have contacted me to say they subscribe to the VHI and attend the Mater Hospital or the Blackrock Clinic or wherever they are sent by their doctors. They have heard Professor Drumm state neither he nor any other worthy member of the HSE has the right to judge the standards of care, or to authenticate the care, given in private hospitals. We are all of the belief these are excellent places to attend. However, it appears to be the case that if one waits for months to be called to a public hospital, one at least will be guaranteed standards of care.

When will HIQA be empowered to apply the same standards to private hospitals as apply in public hospitals? Is it a matter of a licensing arrangement whereby a body or institution has to procure a licence from a particular entity before patients will be clear and sure of what is involved?

I do not blame the Minister. The HSE has become a massive monolith. It has the power to gobble us all up. We do not know where it is going, what it is doing or what it is all about. I fear it does not know itself what it is about.

Deputy Simon Coveney: Agreed.

Minister of State at the Department of Health and Children (Deputy Máire Hackett): I am replying to this matter on behalf of my colleague, the Minister for Health and Children, Deputy Harney.

I thank Deputy O'Rourke for raising this important issue. The Government is committed

to ensuring the delivery of the best quality health service possible and doing so both effectively and efficiently. We believe that to do this we had to radically reform the health service and we are currently well advanced in that process.

Earlier this year we made significant progress on this journey with the adoption of the Health Act 2007. That legislation provides for the establishment of the Health Information and Quality Authority, or HIQA as it has become known, and the Office of the Chief Inspector of Social Services. This represents a crucial element of the reform programme and is a new departure for the health services.

A core function of the authority is to set standards on the safety and quality of health services and to monitor enforcement of these standards in an open and transparent way. The Act gives HIQA strong powers in this area in regard to services provided by the Health Service Executive and bodies funded by the executive to provide health services on its behalf. The process by which such regulatory regimes are first introduced in the public sector is a feature of such developments in other jurisdictions.

The authority also has responsibility for undertaking investigations as to the safety, quality and standards of services where it is believed there is serious risk to the health or welfare of a person receiving services. Recent developments, particularly those relating to the unfortunate incidents of misdiagnosis in breast cancer, have led to the commencement of two investigations by HIQA.

I am keenly aware that one of those investigations is limited by the fact HIQA does not have a remit in the private hospital sector. However, the Deputy will be aware that my Department took swift and effective action to deal with the situation. Services at the private facility concerned were suspended and an appropriate look-back at the management of cases involved in the symptomatic breast disease services delivered from that hospital is currently under way. The review group expects to complete its work next month and any follow-up action required will be taken as a matter of urgency.

I would like to emphasise the progress we have made in the area of the development of quality care standards in health. For the first time, we will now have national standards across the major programmes of care. Such standards in the field of symptomatic breast disease services have already been developed and are in the process of being rolled out. The Minister has directed the HSE to ensure compliance with the standards within the public hospital system. The Minister has also called on hospitals in the independent sector to take steps to ensure their breast cancer services comply with these standards.

[Deputy Máire Hctor.]

The Deputy will be aware that last week the HSE announced a major re-configuration of the delivery of cancer care in this country which will involve the provision of services from dedicated centres of excellence. In January 2007, we also established the Commission on Patient Safety and Quality Assurance to develop proposals for a health service-wide system of governance based on corporate accountability for the quality and safety of all health services. One of its terms of reference is to specifically examine and make recommendations in regard to a statutory system of licensing for public and private health care providers and services. Needless to say, this will include hospitals in the private sector.

In short, the direction of policy is clear. We are moving towards licensing and accreditation of all health care settings against explicit standards. The commission is currently seeking submissions from the public and key stakeholders on the issues within its remit and will welcome views from all quarters. I look forward to the recommendations from the Commission on Patient Safety and Quality Assurance, which is due to report by the middle of next year. In the meantime, we will be vigorous in ensuring a speedy conclusion to the HIQA investigations and departmental actions on the recent cases which led to the current public discussion on these matters.

General Practitioner Services.

Deputy Pat Rabbitte: I am obliged to the Ceann Comhairle for giving me the opportunity to raise this issue. Last week, I attended the launch of a report of a community health project in my constituency entitled "Taking the First Steps to a Healthier Fettercairn". There are some 6,500 people and 840 local authority houses in Fettercairn. Development is well under way to bring the overall number of housing units to 1,000 within the next number of months.

Fettercairn is typical of the unimaginative planning and under-provision of facilities that went into large local authority estates in the 1970s and 1980s. It is an area of low income families with a large population of young people and one parent families. Some 1,511 males and 1,858 females finished full-time education aged 15 or under. Almost one fifth of all families are headed by a lone parent. Since the estate was built almost 30 years ago, the people have struggled to make the best they could from the spartan circumstances in which they found themselves. A Trinity College assessment in 2002 found "high levels of stress, smoking and chronic illness".

This report makes a number of recommendations in areas such as health, housing,

transport and policing. The one recommendation I wish to highlight this evening concerns the need for a GP presence in Fettercairn given its population of 6,500 and the fact that there is no GP. The report also argues for a medical health centre, an effective primary health care team and access to pharmacy services, but it is the need for GP services that concerns me this evening.

Is there another community of soon to be 1,000 houses that is denied even clinic hours by a GP? I do not know how many towns in the Minister of State's constituency which will soon have 1,000 houses and a population rising to 6,500 people but no GP. This is directly related to the budgetary stroke by Government coming up to the 2002 general election, when it allowed the over 70s, irrespective of their means, free access to the GP. The doctors lost rich private clients in the wealthier parts of this city and so had to be incentivised by Government. The result has been that the poorer areas have been virtually denuded of GPs. What I want to know from the Minister of State is what steps she will take to ensure that something as basic as GP services are made available to the citizens of Fettercairn.

I do not want to compete with the Minister, Deputy Éamon Ó Cuív, or Deputy Mary O'Rourke in criticising the HSE but it was disconcerting to be present when the HSE representative admitted that because of manpower planning and the flight of GPs to more profitable areas, he did not believe a GP service could be provided in the area in the near future.

The Government — the Fianna Fáil-Progressive Democrats part of it — has taken specific actions the result of which has been to disadvantage the people of Fettercairn. The €1.9 billion funding promised to underpin the RAPID programme was never honoured. Now, the manner of implementation of the medical card for the over 70s has greatly disadvantaged poorer areas of urban Ireland. What action will the Minister take to address this intolerable inequality?

Deputy Máire Hctor: I thank the Deputy for raising this important issue. I am replying on behalf of my colleague, the Minister for Health and Children, Deputy Mary Harney.

I am conscious of the complex range of social and environmental circumstances which affect Fettercairn and a number of other disadvantaged urban areas around the country. The health services have a key role to play in working with communities and a range of other statutory and non-statutory interests to ensure a co-ordinated and integrated response in such areas. I am aware also of the research study entitled "Taking the First Steps to a Healthier Fettercairn" which was launched last week. In this regard, the Health Service Executive has confirmed to the Department that it proposes to meet the Fet-

tercairn community health project to discuss and progress activation of the report's recommendations on health services.

The national primary care strategy aims to support and promote the health and well-being of the population by providing accessible local services and thereby reducing reliance on hospital-based services. General practice is a key part of such services in the community and will be a core element of the new primary care teams which are being developed.

The HSE has indicated that while at present there is no general practice located in the Fettercairn area, there are three GP group practices and one single-handed GP providing services within a radius of 1.5 to 2 miles of Fettercairn. I understand that in these circumstances persons living in the area who qualify for a medical card or GP visit card can access general practitioner services elsewhere in the Tallaght area.

The Minister for Health and Children is clear that, in the context of the development of a new contract for general practitioner services, all suitably qualified doctors should have the opportunity to have a GMS contract. Such a change has the potential to increase service availability and patient choice while at the same time facilitating more general practitioners in having access to public contracts.

The development of GP out-of-hours co-operatives throughout the country is an essential part of our health service policy of strengthening primary care services and ensuring that, to the greatest extent possible, care needs are met in the primary care setting. These co-operatives offer responsive, high quality services delivered by on duty doctors, nurses and secretarial staff in well equipped, modern clinical centres. The HSE has indicated that it is examining the feasibility of establishing a GP out-of-hours service for south-west Dublin. It has also indicated that a primary care team is being established to cater for the Brookfield-Fettercairn area and clinical team meetings are expected to commence in November. There are five GPs involved in the team, which will also include a public health nurse, occupational therapist and physiotherapist.

I understand that capital funding negotiated under the local RAPID programme has been provided towards the cost of an extension to the Fettercairn community centre, which includes accommodation for the provision of health services. The Fettercairn area will also benefit from the Tallaght west childhood development initiative which is being co-funded by the Office of the Minister for Children and Atlantic Philanthropies for the period 2007 to 2012. The projects include early childhood intervention services, a healthy schools programme, an after school programme and a community safety initiative. These projects will be subject to

ongoing research and evaluation. The development of this initiative has been well grounded in partnership with the local community and this contributed to its selection as one of the three pilot sites under the prevention and early intervention programme for children which was announced last year.

The range of developments and initiatives I have outlined will contribute significantly to addressing the health service needs of the Fettercairn area.

Accident and Emergency Services.

Deputy Simon Coveney: I thank the Ceannt Comhairle for giving me the opportunity to raise this issue. While I could have discussed the matter during the Private Members' debate on health services, it would have been inappropriate to do so as the problem to which I refer has been ongoing for five months and is not solely related to the motion the House debated earlier.

The issue I raise relates to the Mercy University Hospital in Cork, a highly efficient institution with a significant throughput which is located in the city centre. For a number of years, the hospital has experienced a specific problem in the provision of accident and emergency services. As a result of the large number of admissions and problems arising from a lack of physical space, the hospital applied for funding for the development of a new accident and emergency department. Construction works on the new unit commenced in the summer of 2006 and were completed in January this year. While the department is now ready for use, its new equipment lies idle in its original wrapping.

An additional 25 staff are needed to run the state-of-the-art unit which will have a rapid response rehabilitation team, the first of its kind in Cork, and a multidisciplinary staff, including physiotherapists and occupational therapists. It now lies idle with its doors closed not only because of the current recruitment freeze, but because the Health Service Executive has refused to allocate funds to cover staffing costs.

Is it acceptable to approve substantial capital investment for a brand new, state-of-the-art facility attached to a busy hospital and then, on completion, announce that a staffing budget will not be made available? It is an appalling lack of foresight to proceed with a project of this nature and then refuse to staff it. Consultants, management and nursing staff are extremely frustrated at this development. The staff of Cork University Hospital are also frustrated because the new unit was built with a view to improving facilities at the Mercy University Hospital and easing pressure on Cork University Hospital. Its accident and emergency department is too small to meet current demand and has patients lying on trolleys at busy times. The lack of planning, foresight

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and budgetary discipline shown by the HSE means a brand new facility elsewhere in Cork cannot be opened.

It is not acceptable for the Government, which has ultimate responsibility for health care, to allow the HSE decide not to open a fantastic new facility and thereby create a white elephant. The unit, which was supposed to open in September to cater for 30,000 accident and emergency patients per annum, lies idle.

If, as I expect, I receive a standard ministerial reply, I ask the Minister of State to at least convey to the Minister for Health and Children the frustration felt by management, consultants and staff at the Mercy University Hospital Cork who worked so hard to have this capital project completed.

Deputy Máire Hootor: I will reply to this Adjournment matter on behalf of my colleague, the Minister for Health and Children, Deputy Mary Harney.

There are three accident and emergency departments in Cork city located at Cork University Hospital, the Mercy University Hospital and the South Infirmary Victoria University Hospital, respectively. These units are cross-covered by a team of five consultants in emergency medicine.

Funding of €4.7 million for the provision of a new accident and emergency department at the Mercy University Hospital was included in the HSE's capital plan for 2006-2010. Building works on the new accident and emergency department commenced in June 2006 and were completed on schedule in January this year. The work of equipping and commissioning the new facility subsequently commenced and this process is expected to be completed in the coming weeks.

At Mercy University Hospital the existing accident and emergency facility caters for up to 25,000 admissions every year in the city centre, while the new unit will have the capacity to cater for 30,000 patients per annum. The work of the existing accident and emergency department is underpinned by close working relationships with physiotherapists, a social worker, an occupational therapist, a radiographer, a pharmacist and other support services, including chaplains, security and housekeeping staff.

The new department consists of a large patient waiting area with a separate paediatric waiting area, a triage area, three-bay minor treatment area, ten-bay major treatment area, two-bay resuscitation room with adjacent x-ray suite and a treatment and therapies-procedures room. There are currently 46 whole-time equivalent staff in the existing accident and emergency department. This staffing includes 18 whole-time equivalent nurses, one whole-time equivalent consultant in emergency medicine filled by two

consultants, two registrars, seven senior house officers, ward attendants, clerical staff and porters.

In January 2007, management at Mercy University Hospital submitted an application to the National Hospitals Office for an additional 24.5 whole-time equivalent staff to run the new accident and emergency department at a cost of €1.497 million. The HSE is in negotiation with the management at Mercy University Hospital on the provision of these additional staff. Discussions are also ongoing with staff in the accident and emergency department regarding the transfer from the existing department to the new department. I will relay to the Minister the frustration expressed by Deputy Coveney.

Garda Deployment.

Deputy Kieran O'Donnell: I thank the Ceann Comhairle for allowing me to raise an important matter regarding Limerick. Last night, there were four shootings at three different locations in the city and people going about their daily lives in quiet family areas were subjected to indiscriminate shooting. Thankfully, no one was injured or killed, but it has brought to a head the issue of the 100 extra gardaí promised under the Fitzgerald report on regeneration projects. We are falling short of obtaining that many gardaí. Current Garda numbers remain at the same figure as 12 years ago, meaning we have barely caught up. Community gardaí are being moved from their frontline duties to specialist areas.

Will the Minister fulfil his commitment to Limerick of 100 extra gardaí? For several years, Cork has had fewer headline crimes and 100 more gardaí than Limerick. To date in 2007, Limerick has seen 80 firearm discharges, which is an increase of 33% since last year, and one murder. The situation in the affected areas is intolerable. Residents' concerns about criminal elements being rehoused in their areas should be taken on board by the local authority and the HSE through consultation because their fears are legitimate rather than based on snobbery.

I demand the extra gardaí needed in Limerick. The Fitzgerald report promised a superintendent to head the operation and made the vital recommendation of a Criminal Assets Bureau branch in Limerick to deal with hardline crime. A gangland element is amassing wealth and must be tackled head-on in a firm way. There is a case for an Operation Anvil-style measure for Limerick and an agency to address drug issues, specifically the heroin problem, must be set up. The four shootings in Limerick were related to drugs and other criminal activities that must be stopped.

Community policing is suffering due to the escalation in gangland violence. The Mayorstone and Mary Street Garda stations should be

operated on a 24-hour basis to provide security. Suburban areas such as Castletroy, which has a population of more than 12,000, need Garda stations and have none. All large towns of more than 4,000 or 5,000 people have Garda stations that are manned full-time. Extra community police must be on the ground and walking the beat because people in Limerick city are entitled to feel safe in their beds and neighbourhoods, but the 100 extra gardaí promised in the report have not appeared.

An Ceann Comhairle: The Deputy's time has expired.

Deputy Kieran O'Donnell: I call on the Minister of State to provide the House with the news of increased Garda numbers in Limerick city.

Deputy Máire Hctor: I wish to respond on behalf of my colleague, the Minister, Deputy Brian Lenihan, who expresses his apologies for not being available.

I thank Deputy O'Donnell for raising this matter on the Adjournment and assure him that the Minister and I share his concerns about crime in Limerick. However, as the Deputy is aware, the Garda Commissioner has direct responsibility for the allocation of Garda resources. I am informed by the Commissioner that the number of operational gardaí in Limerick city as of 1 October 2007 was 436, an increase of 39 since 31 December 2006. Garda resources in Limerick are further augmented by the presence of members of a number of Garda national units such as the National Bureau of Criminal Investigation, the Garda National Drugs Unit and the Criminal Assets Bureau. This upward trend in the allocation of Garda personnel to the Limerick city districts shows the commitment of the Government and the Commissioner to meeting the targets set out in the Fitzgerald report in respect of Garda numbers.

The Government has committed to bringing the strength of the force to 15,000 fully attested members by 2010 and to 16,000 by 2012. The additional gardaí will be placed in frontline operational policing and will increase the ratio of gardaí to population throughout the country.

Operation Anvil is central to the strategy of the Garda Síochána in combating serious crime, in particular, murder. The operation, which commenced in the Dublin metropolitan region in May 2005 and was subsequently extended nationwide at the Minister's request, has proved to be successful in disrupting the criminal activities of a number of key criminal gangs. It has resulted in a number of high profile arrests and the acquisition of intelligence on the movements of criminals. Notable improvements have been achieved in the recorded number of incidents of crime being targeted by the operation. The most

recent figures available show that under the operation, 92 arrests have been made in connection with murders and 1,080 in connection with serious assaults. Some 768 firearms have been seized or recovered and 37,427 drug searches have been conducted.

A suggested possible solution to problems is a more localised structure for the Criminal Assets Bureau. While a greater focus on local issues by specialised Garda units could bring specific expertise to bear on matters of concern, we must act in a manner that ensures that the resources available to, for example, the bureau are used in an optimum fashion.

We must rid ourselves of any misconception that the bureau's work happens in isolation or that it is of a centralised nature without connection to what is happening in local areas. The bureau's success can be attributed in no small part to the use of knowledge made available by local sources. This is facilitated by the work carried out by trained criminal asset profilers who have been appointed in every Garda division. The use of local asset profilers was developed by the Criminal Assets Bureau in conjunction with the Office of the Director for Public Prosecutions in 2004. The programme ensures that a fully trained asset profiler is in place in each of the 25 Garda divisions and a full complement of divisional profilers is being maintained.

A key function of the profilers is to ascertain and build information at local levels and point out individuals at whom the bureau's work can be targeted. Such information is then investigated and followed up by CAB. Management of An Garda Síochána and the chief bureau officer of CAB are keeping the situation under review to ensure resources are allocated in the most effective manner possible.

An Ceann Comhairle: The Minister of State has one minute remaining.

Deputy Máire Hctor: The underlying trend in crime statistics showing a drop of 1.1% in crime recorded in the year ending 30 June is encouraging, but there are no grounds for complacency. The Minister has discussed these figures with the Garda Commissioner, particularly the increase of 3.2% in the second quarter of 2007 compared to the second quarter last year. The Commissioner has advised that the Garda is undertaking a number of specific targeted operations directed against particular types of crime in areas where increases have been taking place.

Garda personnel assigned throughout the country, together with overall policing arrangements and operational strategy, are continually monitored and reviewed. Such monitoring ensures that optimum use is made of Garda

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resources and the best possible Garda service is provided to the public.

As the House is aware, the Fitzgerald report concerns taking a holistic approach to the problems suffered by innocent people living in certain areas of Limerick. These people and communities have been the subject of persistent attacks

on their lives and safety. The Government is committed to addressing the problems and bringing the perpetrators to justice. The gardaí in Limerick are to be commended for the high detection rate of the more serious crimes committed in the area.

The Dáil adjourned at 9.40 p.m. until 10.30 a.m. on Thursday, 4 October 2007.

Written Answers.

The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].

Questions Nos. 1 to 8, inclusive, answered orally.

Questions Nos. 9 to 94, inclusive, resubmitted.

Questions Nos. 95 to 105, inclusive, answered orally.

Afforestation Programme.

106. **Deputy Ciarán Lynch** asked the Minister for Agriculture, Fisheries and Food if her attention has been drawn to the concern expressed by the European Environment Agency regarding the States tree planting policy and particularly the high level of planting in peatland, which releases a substantial greenhouse and carbon emission; the proportion of planting on peatland in each of the past five years; and if she will make a statement on the matter. [21803/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I am aware of this issue, which dates back to 2004. A report by the European Environment Agency claimed that 84% of planting since 1990 had taken place on peats.

That figure was based on satellite imagery and did not correspond in any way to the information available to my Department at the time, which showed that the actual level of afforestation on peats was between 26% and 43.5%, since 1990. The highest levels of planting on peats occurred during the earlier years of this period.

Based on current approaches and methods for estimating soil carbon dioxide emissions arising from afforestation and deforestation since 1990, an emission factor of 4 tonnes of carbon dioxide, per hectare, per year for the first 4 years following afforestation is applied to peats. This amount is deducted from the carbon dioxide uptake by the growing forest. Over the life-cycle of these forests, the level of carbon dioxide sequestered

more than outweighs the carbon dioxide emissions produced in the short-term following initial afforestation.

According to the most recent analysis by my Department, the proportion of afforestation on peats over the past five years is as follows:

Year	Proportion of Planting on Peats
	%
2002	31
2003	32
2004	28
2005	26
2006	29

These latest data support the earlier findings of my Department.

Finally, there are very strict procedures in place regarding the afforestation of peat lands. These procedures effectively rule out grant-aid for planting on intact raised bogs of the midlands, or the impoverished, oligotrophic deep blanket peats of the west.

Use of Pesticides.

107. **Deputy Liz McManus** asked the Minister for Agriculture, Fisheries and Food if her Department has undertaken an assessment of the implications for Irish farming of the EU plan to reduce the use of crop sprays; and if she will make a statement on the matter. [21800/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The EU Commission has proposed a Thematic Strategy for the Sustainable Use of Pesticides. The Strategy includes a number of initiatives to reduce the impact of sprays. The Commission has also proposed a

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framework Directive on the sustainable use of pesticides. The aim of this proposal is to reduce the risks and impacts of pesticide use on human health and the environment. The current Commission proposal does not contain any plan to “reduce the use of crop sprays”, except in “sensitive areas”, where restrictions on use will be subjected to a risk assessment. Since my Department already carries out such risk assessments during the authorisation process for all pesticides, it is anticipated that there will be no additional implications for Irish farming.

Discussions are ongoing at Council and in the European Parliament and my Department is actively participating in this process. I am aware that several proposals from the European Parliament’s Environment Committee refer to “quantitative use reduction” targets, but these proposals have not yet been ratified by the Parliament.

Animal Diseases.

108. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food if, in view of confirmed cases of foot and mouth disease and bluetongue disease in the UK, she will establish a biosecurity committee to constantly monitor threats which may confront Irish agriculture in the future. [21889/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The first case of foot-and-mouth disease in the present outbreak in Britain was confirmed on 3rd August in Surrey. Since then a total of eight cases have been confirmed in two separate clusters. The first cluster involved two cases around the village of Normandy and the second involved six cases to date centred on the village of Egham. To date the outbreak has remained confined to Surrey.

Immediately following the very first case and the first case in the second cluster on 12th September, I introduced a ban on the importation from Britain of live susceptible animals, fresh meat, raw milk and a range of other animal products from susceptible species. In each case, those bans were followed and superseded by EU Commission Decisions prohibiting the export from Britain of such animals and animal products.

I also instructed that disinfection facilities be installed at Irish ports and airports and my Department embarked on a communications strategy aimed at advising the agricultural community, the agri-food industry and the general public of the measures that had been put in place and of the need for farmers and veterinary practitioners to be particularly vigilant and to report any suspicions of disease to my Department.

All of our actions were based on the best veterinary, scientific and administrative advice avail-

able to me and my determination at all times has been to be proportionate and measured in my response to the threat posed by the ongoing outbreak. I and my officials continue to monitor very closely the developing situation and to keep the risk level and the appropriate response to that risk under constant review.

The first case of Bluetongue ever to be recorded in Britain was confirmed on Saturday 22nd September on a farm near Ipswich in Suffolk. Since then several further cases have been detected on a number of other premises in England. The strain has been confirmed as serotype 8 (the same strain as has been circulating in northern Europe since August 2006).

On 28th September, the Department of the Environment, Food and Rural Affairs in Britain confirmed an outbreak of Bluetongue and immediately put in place the control measures required by the Council Directive 2000/75/EC. There is, already, as a result of the FMD outbreak in Britain, a ban on the importation from Britain of live animals.

There are no imports of susceptible livestock from restricted areas in Europe and all susceptible species imported from Bluetongue-free areas, apart from the U.K., are tested post-import and all have been negative for the disease. In view of the outbreak of Foot and Mouth Disease (FMD), exports of livestock from Britain are currently banned. If and when the FMD-related export restrictions on British animals are lifted, consideration will be given to introducing post-import tests on susceptible animals coming from Britain.

Following the outbreaks of Bluetongue in northern Europe, which began in August 2006, my Department embarked on a proactive surveillance programme that involved post-import blood testing of susceptible animals from affected countries and the random sampling of herds in counties in the south and south-east in which wind-blown midges might have made landfall, if blown here. In addition to the ongoing testing of animals from Bluetongue-free areas in Europe, my Department has engaged the Department of Zoology at NUI Galway to assist in carrying out a comprehensive surveillance survey of the midges that potentially spread the virus. In addition, my Department’s laboratory service has been testing thousands of blood samples for any evidence of Bluetongue since earlier this year. My Department has also updated its contingency plans and legislative basis and has increased awareness by providing advice leaflets to farmers and the veterinary profession as well as having organised an industry seminar on bluetongue in July. Further comprehensive information is available on my Department’s bluetongue website — www.bluetongue.ie

The day-to-day management of the disease threat and the contingency arrangements is

undertaken by the Management Committee of my Department's National Disease Control Centre, which has available to it a range of expert veterinary and scientific advice. This Committee, whose meetings I have regularly chaired, has been meeting frequently in response to the heightened disease threats posed by both FMD and Bluetongue.

The use of an outside advisory group with a range of disciplines is also part of my Department's contingency plan. This approach was used in relation to FMD and Avian 'Flu in the past. Responsibility for taking decisions on the appropriate contingency arrangements to be applied would continue to be mine and that of my Department.

There is also a commitment in the Programme for Government to establish Biosecurity Ireland, as a separate Division within my Department, whose remit will be to 'ensure the exclusion, eradication or effective management of risks posed by diseases and pests to the economy, the environment and to human and animal health.' This will enable my Department to even more effectively coordinate the existing breath of expertise already available. As with all commitments in the Programme, work on its implementation is continuing and I expect that it will be significantly progressed in the coming months.

I must emphasise, however, that I am absolutely satisfied that the measures introduced to date, in response to both disease outbreaks, have been taken on proper veterinary and scientific advice and that they are proportionate to the current risk. As that risk is reassessed, I will not hesitate to introduce such additional measures as are considered appropriate to any increased risk.

109. Deputy Bernard J. Durkan asked the Minister for Agriculture, Fisheries and Food if she is satisfied regarding the adequacy of measures to protect against an outbreak or spread of foot and mouth or bluetongue disease here; the degree to which she has liaised with authorities in other jurisdictions with a view to isolating the origins of an outbreak and protecting the national interest; and if she will make a statement on the matter. [21527/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): My Department and I have been particularly proactive in taking measures designed to minimise the risk of the introduction to Ireland of either Foot and Mouth Disease (FMD) or Bluetongue and I am satisfied that the measures in place are appropriate given the current level of risk of an outbreak of either disease in this country.

With regard to the threat of FMD, I introduced an immediate ban on the importation to Ireland from Great Britain of live susceptible animals, fresh meat, raw milk and other products from

such animals as soon as the first case of FMD was confirmed in Surrey on 3rd August. I also instructed the immediate installation of disinfection points at Irish ports and airports. My Department also published information leaflets for people travelling from Britain and published information notices in the national newspapers as well as providing advice to the organisers of agricultural shows. Furthermore, my Department updated the dedicated FMD website which contains a significant amount of useful information and advice.

Within days of the introduction of my ban on imports from Britain, the European Commission introduced a ban on the export from Britain of susceptible live animals and products, including those included in my earlier ban. The Commission Decision was strictly enforced by my Department and a subsequent Commission Decision, introduced in the immediate aftermath of the first case in the second cluster of cases on 12th September, is currently being enforced by my Department.

In the short period during which live exports from Britain were permitted, there were three consignments of live animals imported from Britain and all have been traced and clinically examined and found not to have any signs of disease.

With regard to Bluetongue, my Department and I have responded proactively to the increased threat posed by the spread of the disease across northern Europe last year by engaging the Department of Zoology at NUI Galway to assist in carrying out a comprehensive surveillance survey of the midges that potentially spread the virus. In addition, my Department's laboratory service has been testing thousands of blood samples for any evidence of Bluetongue since earlier this year. My Department has also updated its contingency plans and legislative basis and has provided advice leaflets to farmers and the veterinary profession as well as having organised an industry seminar on bluetongue in July and comprehensive information is available on the Department's bluetongue website — www.bluetongue.ie.

The more recent detection of the disease in Britain, along with the rapid spread of the disease across northern Europe and its detection at more northerly points than ever before, inevitably increase the threat to Ireland. On Friday last, the Department of the Environment, Food and Rural Affairs in Britain confirmed an outbreak of Bluetongue and immediately put in place the control measures required by Council Directive 2000/75/EC. There is, already, as a result of the FMD outbreak in Britain, currently a ban on the importation from Britain of live animals.

With regard to the threat presented by both Bluetongue and FMD, my approach is to ensure adequate awareness of the diseases and, partic-

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ularly, the clinical signs with which farmers, veterinary practitioners and other livestock handlers ought to be familiar and to encourage vigilance among them when inspecting animals. In that regard, farmers and veterinary practitioners should note that Bluetongue is a notifiable disease and suspicions of the disease must be reported immediately to my Department. My Department and I are very conscious of the need to ensure such adequate awareness and are keeping the communications strategy under constant review.

Secondly, I am satisfied that the control measures currently in place are, at all times, proportionate to the current level of risk. This is obviously a situation that also requires to be kept under review and I will not hesitate to refine and update those control measures should I be satisfied that the risk has increased and that further control measures are appropriate.

In relation to the threat posed by the two diseases, my Department and I have been working closely with the Department of the Environment, Food and Rural Affairs in London, the European Commission in Brussels and, particularly, the Department of Agriculture and Rural Development (DARD) in Belfast. I have been and continue to be in frequent contact with my Ministerial colleagues in London and Dublin while my officials are in constant contact with their counterparts. Working closely with DARD to ensure that the island of Ireland remains free of both Bluetongue and FMD is a priority for both Departments.

In addition to the bilateral relationships, the FMD outbreak has been the subject of discussion at meetings of the EU Commission's Standing Committee on the Food Chain and Animal Health (SCoFCAH), which are always attended by my officials, as well as at last week's meeting of the Council of Agriculture Ministers, which I attended. A number of Commission Decisions have been adopted in response to the FMD situation and my Department has been fully engaged with that process.

Suckler Cow Quota.

110. **Deputy Andrew Doyle** asked the Minister for Agriculture, Fisheries and Food the actions being taken by her Department to ensure the future of the Irish suckler cow sector, in view of the drop in beef prices from the meat factories relative to European prices and the flooding of the retail market with imported low grade beef. [21927/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The suckler herd plays a major role in the social and economic well-being of rural areas and in particular areas of

natural disadvantage. There is a need to improve animal welfare standards and generally to improve the quality of the national beef herd. With this in mind, I announced an Animal Welfare and Recording Scheme for Suckler Herds aimed at encouraging suckler farmers to adopt certain practices, which will assist not only quality and productivity, but also to underpinning competitiveness. An application for approval was submitted to the European Commission as required under state aid rules. Following consultations with the Commission services on the details of this scheme, certain modifications were made and a revised application was submitted to them on 15 August 2007. This is currently under consideration by the Commission. My Department is in regular contact with the Commission with a view to obtaining approval as rapidly as possible.

I am also aware of the importance of our live export market to the suckler sector. Live exports continue to be an important outlet not only for our weanling trade and indeed for the overall beef sector. My Department is, consequently, closely involved with Bord Bia in the promotion of the live weanling trade. Activities undertaken include showcase events for Irish weanlings involving exporters, importers, feedlot owners and media; promotional support to the trade including trade advertising and distribution of information and literature to potential customers in the markets; inward buyer visits to Ireland; and varied support to exporters including market and customer research, credit checks, translations, facilitating meetings, market information and study visits.

As regards prices paid for cattle, Irish prices have not fallen relative to those paid across Europe. Prices are down across most major EU markets in 2007. It should be remembered however, that prices in 2006 were exceptionally high. Irish R3 steer prices for the year to date have averaged 93 per cent of the EU average. This compares with 89 per cent in the same period in 2006. At the moment, Irish prices are running at 92 per cent of the EU average compared to 90 per cent in September 2006.

Farm Waste Management.

111. **Deputy Jack Wall** asked the Minister for Agriculture, Fisheries and Food the reason the Farm Development Services are not processing application forms by farmers under the improvement scheme which are correctly filled out and sent to them by Teagasc for the installation of bulk feed bins, milk tanks and milking machines which are exempt from planning permission; and if she will make a statement on the matter. [21784/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The Farm Improve-

ment Scheme was introduced by my Department last July and provides grant-aid for, inter alia, animal housing, slurry storage facilities and investments in relation to dairy hygiene.

Under the Scheme, grant-aid is available up to a maximum eligible investment ceiling of €120,000 with a separate ceiling of €120,000 being applicable in the case of dairy hygiene measures. The standard grant-rate is 40% for animal housing and related storage facilities and for dairy hygiene investments, with a 10% top-up grant being available for eligible young farmers in certain cases. Approvals to commence work are now being issued to farmers who have submitted completed applications for grant-aid under the Scheme. I have asked that applications, not requiring planning permission be dealt with very quickly.

Animal Diseases.

112. **Deputy Mary Upton** asked the Minister for Agriculture, Fisheries and Food if, in view of the continuing threat to human health and the economy generally from animal diseases, she will consider the establishment of a permanent biosecurity unit to provide maximum protection against threats of this nature; and if she will make a statement on the matter. [21789/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Within my Department there is a wide range of veterinary, technical, scientific and administrative expertise which is relied upon on a daily basis in the development of contingency and operational plans designed either to minimise the risk of the introduction of various animal diseases to Ireland or to contain, control and eradicate any threatened or confirmed disease outbreak.

In addition, it is a feature of various contingency plans to establish an Expert Advisory Group to provide me with a wider range of advice from various disciplines appropriate to the particular disease outbreak. The membership of such Groups will vary from disease-to-disease depending, for example, on whether there are potential human health issues. Notwithstanding the establishment of Expert Advisory Groups, the responsibility for deciding which contingency or control measures should be introduced is ultimately mine and that of my Department.

The day-to-day management of the threat posed by various disease outbreaks, whether in Britain, Europe or elsewhere, is undertaken by the Management Committee of my Department's National Disease Control Centre. I am entirely satisfied that my Department has, in response to all recent disease outbreak threats, including avian 'flu, Foot and Mouth Disease and Blue-tongue, responded appropriately and that the measures put in place were, at all times, pro-

portionate to the assessed level of risk and revised as appropriate, by reference to any reassessment of the risk.

There is, nonetheless, a commitment in the Programme for Government to establish Biosecurity Ireland, as a separate Division within my Department, whose remit will be to 'ensure the exclusion, eradication or effective management of risks posed by diseases and pests to the economy, the environment and to human and animal health.' This will enable my Department to even more effectively coordinate the existing breadth of expertise already available. As with all commitments in the Programme, work on its implementation is continuing and I expect that further significant progress will be made in the coming months.

Organic Farming.

113. **Deputy Brian O'Shea** asked the Minister for Agriculture, Fisheries and Food if her attention has been drawn to the recent Eurostat survey which showed that Ireland has the third lowest area under organic production in the EU; her plans to increase organic output in view of increasing consumer demand in this area; and if she will make a statement on the matter. [21796/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The Programme for Government has set a target of increasing the amount of agricultural land area under organic production from its current rate of less than 1% to 5% by 2012. Even though this is a challenging target I believe it is attainable, and my Department offers substantial incentives to promote the growth of the sector.

The new Organic Farming Scheme, introduced under the Rural Development Programme for the period from 2007 to 2013, aims at encouraging producers to respond to the market demand for organic food. Rates of payment under the scheme are some 17% higher than comparable payments under the previous Rural Environment Protection Scheme (REPS 3). One significant change this time round is that we are allowing organic producers to obtain organic support payments without having to join REPS. This should encourage small-scale horticultural producers to convert to organic production, and also conventional tillage producers to convert part or even all of their holdings. As a further incentive to encourage non-REPS farmers solely involved in tillage production to convert to organic farming, there is an additional payment of €240 per hectare available in the in-conversion period, up to a maximum of 40 hectares, provided they grow green cover crops.

As well as payments to farmers, my Department also offers significant development grants

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both to farmers and to processors under the Schemes of Grant Aid for the Development of the Organic Sector. The current Schemes were launched last June and they provide grant aid for investments by farmers and processors in equipment and facilities. The Schemes provide grant aid of 40% of the cost up to a maximum grant of €60,000 in the case of on-farm investments and €500,000 for investments off-farm.

I am pleased to note that Teagasc has appointed an additional three specialist organic advisors to strengthen its advisory role. This development, allied to the expanding demonstration farm programme, should further facilitate producers considering the organic option. Education, training and research and development are also key elements in encouraging and supporting growth in the organic sector. I am considering how the contributions from these areas can be enhanced.

The development at production level cannot happen in isolation. It needs a market to support it. The most recent initiative in this regard is the three-year Organic Marketing Plan 2006–2009, produced by Bord Bia, in consultation with the Organic Market Development Group. The objective of the plan is to develop the organic sector in Ireland for existing suppliers and new entrants. Included in the plan is National Organic Week, which this year runs from October 22nd to 28th.

I have asked for and received submissions from the organic farming bodies with their proposals for the development of the sector. I have also asked the National Steering Group for the Organic Sector and its two sub-groups, the Partnership Expert Working Group and the Organic Marketing and Development Group, to give me their considered views on the best ways to move to the Programme for Government target.

Consumer Protection.

114. **Deputy Leo Varadkar** asked the Minister for Agriculture, Fisheries and Food if in the context of increasing competition for land use between food and fuel production she proposes to protect the consumer from rising prices as a consequence of falling production. [21895/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): A range of factors including increased competition from biofuels, increased consumption in Asia and production difficulties due to weather problems in some key production zones are driving up international prices for cereals in particular and also other products. Ireland and the EU are not immune to such international trends. Some recent projections suggest that these price increases will moderate somewhat in the short to medium term, although prices should remain at relatively high

levels. While higher commodity prices impact on consumer food prices, a variety of other factors, including the cost of wages, services and other materials also have an impact, as does the level of competition in the retail sector.

Pigmeat Sector.

115. **Deputy Bernard Allen** asked the Minister for Agriculture, Fisheries and Food the steps she proposes to take to secure the viability of the pig industry here. [21892/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): My Department is engaged in a wide range of activities that are vital to the development of the pig industry. These include national animal health programmes, monitoring of food safety compliance at production premises, the certification of meat for the various markets and improving access to new markets.

Pigmeat features prominently in Bord Bia's programme of promotion on home and export market. I have asked the Bord to intensify its autumn pork and bacon promotion campaign in order to ensure that the market remains firm over the coming months. Considerable Bord Bia resources are also devoted to the pigmeat quality assurance scheme. The Farm Waste Management scheme was extended to the pig sector and I brought in a programme of financial assistance for the transition to welfare-friendly sow housing.

I am firmly in favour of consumers being aware of the origin of the pork and bacon they are purchasing. I am working with the Department of Health and Children on draft legislation that will require the country of origin to be shown on pigmeat and other meats. A public consultation is currently being conducted on the web site of the Food Safety Authority of Ireland. This legislation will require the approval of the European Commission.

Another issue facing pig producers is how to deal with pig slurry in a manner that complies with environment protection legislation. I established the Intensive Livestock Working Group to address this issue and the Group is currently examining the possible options for the sector in this regard.

While pig producers are experiencing special difficulties at present due to high feed prices I am convinced that the future prosperity of the industry is secure thanks to exceptional efficiencies at farm level and a committed processing industry.

Dairy Industry.

116. **Deputy Simon Coveney** asked the Minister for Agriculture, Fisheries and Food the steps she will take to halt the exodus of farmers from winter milk production to the liquid milk market. [21890/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I am informed by the National Milk Agency, which has statutory responsibility to regulate the supply of milk for liquid consumption within the State, that the Agency has registered 1,756 contracts for the milk year 2007/2008 compared with 1,511 for the equivalent period in 2006/2007. Moreover, in the winter months of October 2006 to February 2007, when milk is least available, supplies of fresh milk exceeded consumption by 19%.

International prices for dairy products have been buoyant since the start of 2007, as a result of which producer prices have risen substantially. The price paid by dairies to producers for milk is exclusively a matter for negotiation between those parties. I am, however, satisfied that the number of registered contracts with the National Milk Agency will provide continuity in supplies of liquid milk for the future.

Bovine Diseases.

117. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food the progress to date on increasing the age limit for BSE testing; and if she will make a statement on the matter. [21525/07]

137. **Deputy Seymour Crawford** asked the Minister for Agriculture, Fisheries and Food when she will allow farmers to sell cattle over 30 months without having to go through a BSE test and pay for it; her views on the fact that factories use the 30 month system to downgrade the price of perfectly good cattle over the 30 month age thus creating a double loss to the farmer and in some cases, particularly in the autumn months, short term glut of cattle to the factory with even some of these cattle being of an unfinished nature; and if she will make a statement on the matter. [21844/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I propose to take Questions Nos. 117 and 137 together.

The BSE testing requirements are provided for in Regulation (EC) No 999/2001 (the TSE Regulation). The Regulation currently requires that all bovines over 30 months, slaughtered for human consumption, must be tested for BSE. In addition, Member States are required to test all casualty animals over 24 months sent for slaughter and all fallen stock over 24 months not slaughtered for human consumption. I have never had nor do I currently have any discretion to change the age limits at which animals must be tested for BSE.

Having the age limit for BSE testing increased has been a priority of mine since my appointment as Minister and I and my officials have pushed the case at every opportunity. I have long taken

the view that, given the significant decline in the incidence of the disease across the European Union in recent years, not least in Ireland, and the control measures in place, an increase in the age limit is entirely justified.

I am pleased, therefore, that the EU Commission has recently tabled proposals that, if adopted, will result, in respect of healthy slaughtered animals, for the testing of 100 % of cattle aged over 42 months and born before 1 January 2002, and 50 % of cattle aged over 42 months and born after 1 January 2002. For emergency slaughtered cattle and fallen stock, the proposal is to test 100 per cent of emergency slaughtered cattle and fallen stock aged over 36 months. I consider that the Commission proposals represent a vindication of the arguments I have been making over the past few years and that they will yield significant and well-earned savings for Irish farmers. Work is continuing in Brussels to finalise the criteria against which the performance of any Member State will be measured in order to avail of the newly proposed testing arrangements. I am pressing to have this work concluded as quickly as possible.

Assuming the Commission proposals are adopted and the eligibility criteria finalised, I intend that Ireland will make an early application to have our surveillance programme revised. In view of the work that remains to be done and the time likely to be taken before an application is approved by the Commission and the other Member States, it seems unlikely that the existing age limits for BSE testing will be revised until sometime in 2008, though I and my officials will, of course, continue to press for the earliest possible resolution of the issue.

Genetically Modified Organisms.

118. **Deputy Jack Wall** asked the Minister for Agriculture, Fisheries and Food her position on a genetically modified event (details supplied) in view of the serious repercussions the effective ban is having and will continue to have on animal feed manufacturers and in turn the livestock farmer; and if she will make a statement on the matter. [21785/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The EU Commission proposal to authorise the genetically modified event, referred to by the Deputy, for marketing as food and feed within the EU was considered at the meeting of the Council of Agriculture Ministers last week. The Council recorded a no opinion on the proposal and the Commission is now expected to move to approve the product in the near future in accordance with regulatory procedures.

I abstained in the vote taken on this proposal at the Council because I am currently engaged in

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discussions with my Cabinet colleagues on how best the commitment in the Programme for Government on GMOs can be effected, while taking into account the views of all interested parties and the sectors most directly affected.

Sustainable Energy.

119. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food the steps she is taking to promote wood energy. [21522/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Wood energy has a key role to play in achieving the Government targets for renewable energy as set out in the White Paper, 'Delivering a Sustainable Energy Future for Ireland'. My Department actively encourages the development of the wood-energy sector through a range of support measures. A new capital grant scheme to support emerging enterprises in the wood chip supply sector was launched during the summer. The Wood Biomass Harvesting Machinery Grant Scheme will grant aid the purchase of medium-scale wood chippers and self-contained chippers by providing up to 40% of the purchase price of this equipment.

Under the Scheme, my Department has already this year committed grant aid of nearly €500,000 towards wood biomass harvesting machinery, stimulating an associated investment of some €1.5m in the sector. I am also pleased to say that a second phase of this scheme will be launched in the coming weeks, making a further €600,000 in grant aid available. The additional harvesting capacity created will have a significant impact in assisting developing enterprises in the wood chip supply sector while complementing the Reheat Scheme operated by Sustainable Energy Ireland.

My Department is also supporting a number of wood energy pilot projects which aim to develop models of best practice for wood supply and to encourage increased use of wood fuel, primarily in the form of woodchip. Examples of the pilot projects being funded include the County Clare Wood Energy Project and the Forest Link project in Donegal.

COFORD, the National Council for Forest Research and Development, which is wholly funded by my Department, in association with Teagasc, is running a series of thinning and chipping demonstrations across the country. This is part of the Forest Energy 2007 Programme, following on from the highly successful 2006 demonstration programme. Events have already taken place in Counties Cork, Donegal, Galway, Laois, Limerick and Mayo. A major exhibition of technologies and developments in the wood and biomass energy sectors, 'Bioenergy 2007', was jointly hosted by COFORD, Teagasc and Sus-

tainable Energy Ireland at Oakpark, Co. Carlow at the end of August.

Finally, COFORD hosts and manages a website (www.woodenergy.ie) dedicated to providing factual information on using wood biomass as a carbon neutral, renewable energy source.

Suckler Cow Quota.

120. **Deputy Tom Sheahan** asked the Minister for Agriculture, Fisheries and Food when she will honour her commitment to the suckling farmers here to introduce a new suckler cow grant. [21523/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The proposals for an Animal Welfare, Recording and Breeding Scheme for Suckler Herds were originally submitted to the European Commission in December 2006 as part of the Draft Rural Development Programme 2007-2013 (RDP). Following consultations with the Commission services on the details of this scheme, certain modifications were made and a revised application for state aid approval was submitted to them on 15 August 2007. This is currently under consideration by the Commission. My Department is in regular contact with the Commission with a view to obtaining approval as rapidly as possible.

Farm Incomes.

121. **Deputy Emmet Stagg** asked the Minister for Agriculture, Fisheries and Food the information available to her Department on the expected impact on farm incomes of the exceptionally wet weather during the summer 2007 period; and if she will make a statement on the matter. [21790/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Adverse weather in the period leading up to harvest time did give rise to concern that there might be a very poor cereals harvest, both in terms of quantity and quality. However, the weather improved just in time and consequently output is not expected to be very far short of the long-term average of 2 million tones. Similarly in the horticulture sector, the poor weather conditions caused problems for planting and harvesting operations of outdoor fruits and crops, however, the improvement in weather conditions in August/early September helped alleviate some of difficulties.

On a more positive note international prices for cereal and dairy products are buoyant and this will impact favourably on the output value of these sectors. However, higher cereal prices will give rise to higher production costs for cattle finisher and pig and poultry producers. The overall net effect on all these factors is difficult to tell at this stage.

Farm Prices.

122. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food the steps she is taking to ensure that higher market prices for lamb is passed back to farmers; and if she will make a statement on the matter. [21524/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The market situation for lamb is quite good at present with prices ahead of last year's at this stage. Supplies too have improved in recent weeks following the Foot and Mouth outbreak in the UK and the outlook for the remainder of the year is positive. Bord Bia actively promotes lamb as a quality product and thereby supports all those involved in the marketing chain, including producers. I have no function in the determination of market prices nor of the margins available to processors and retailers.

Farm Structures Survey.

123. **Deputy Seán Sherlock** asked the Minister for Agriculture, Fisheries and Food her views on the further significant decline in the number of farms reported in the recent Farm Structure Survey published by the Central Statistics Office; her plans to reverse this decline; and if she will make a statement on the matter. [21783/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Last month the CSO published its Farm Structures Survey results for 2003 and 2005. The report shows that over that period farm numbers declined at a rate of approximately 1% per annum to 132,700 farms in 2005, which is slightly lower than the overall rate of decline since 1991. The reduction in farm numbers is part of an on-going trend, which is common throughout Europe, and indeed the rate of decline is lower in Ireland than in many other EU member states.

Such consolidation of farms allows for a greater level of efficiency and scale on both full and part-time farms. In addition farmers are supported strongly by the Government with very significant EU and national resources devoted to supporting farm incomes, encouraging incentives for structural change, optimising the environmental benefits from farming, providing research, advisory and training services and a range of other measures.

Departmental Offices.

124. **Deputy Eamon Gilmore** asked the Minister for Agriculture, Fisheries and Food the position regarding the establishment of the new Department of Agriculture, Fisheries and Food; the reason for the delay in transferring responsibility for the fisheries sector to her Department;

and if she will make a statement on the matter. [21801/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The Taoiseach announced on the 15 June 2007 that Sea Fisheries would transfer to my Department. The Government has now agreed the specific details for the transfer of those functions and the necessary Order to give effect to this will be made shortly by the Government.

Genetically Modified Organisms.

125. **Deputy Jim O'Keeffe** asked the Minister for Agriculture, Fisheries and Food the changes in the Government's policy on genetically modified foods and crops since 1997; the reason that the changes that took place; and if she will make a statement on the matter. [21571/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The Government, conscious of the range of concerns being expressed about genetic modification in the fields of pharmaceuticals, medical diagnostics, agriculture and food production and aware that no coherent policy on the issue had been formulated, established an Inter-Departmental Group on Modern Biotechnology in March 1999. This Group published its Report in October 2000 and in the Report it recommended that Ireland's general position on modern biotechnology should be positive but precautionary. This position informed the Government's approach to GM proposals up to June 2007, when a new Programme for Government was agreed.

I am currently engaged in discussions with my Cabinet colleagues on how best the commitment in the Programme for Government to seek to negotiate the establishment of an all Ireland GM free zone can be effected, while taking into account the views of all interested parties and the sectors most directly affected.

Farm Employment.

126. **Deputy Pat Rabbitte** asked the Minister for Agriculture, Fisheries and Food the number of persons employed full time and part time in farming in 1997, 2002 and the latest date for which figures are available; her plans to reverse the decline in the numbers working in farming; and if she will make a statement on the matter. [21792/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The most recent figures available from the CSO show that there were 74,500 farmers whose sole occupation was farming in 2005, a drop of 23,800 since 1997. Over the same period the number of farmers with another

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either major or subsidiary occupation increased by 8,600 to 57,900.

The on-going trend towards part-time farming reflects a combination of factors including the increased availability of off-farm employment. Many small scale producers find that combining farming with off-farm employment is an effective way to ensure their continued viability in farming. At the same time, full-time farmers are looking to the new flexibility offered to them under decoupling to develop and intensify their commercial farm enterprises.

Number of farm holders by presence or absence of off-farm job, 1990-2003

Year	Status of holder		Total Number of family farms
	Farming is sole occupation	Farming is either main or subsidiary occupation	
1997	98.3	49.3	147.6
2000	78.7	62.6	141.3
2003	78.5	57.0	135.5
2005	74.5	57.9	132.4

Common Agricultural Policy.

127. **Deputy Leo Varadkar** asked the Minister for Agriculture, Fisheries and Food the status of talks on the CAP health check for 2008. [21896/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): No proposals have yet emerged on the CAP Health Check. Formal legislative proposals are expected to be published in May 2008. In advance of that a Commission Communication on preparation for the Health Check is envisaged for towards the end of next month. Agreement on the proposals is anticipated for the latter half of 2008 during the French presidency of the EU. I will be participating fully at all stages of the negotiations.

Farm Improvement Scheme.

128. **Deputy Terence Flanagan** asked the Minister for Agriculture, Fisheries and Food when she will announce the details of the grant aid available for dairy farmers to improve their dairy facilities. [21893/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The Farm Improvement Scheme was launched by my Department on 12 July 2007 and provides grant-aid for, *inter alia*, investments in relation to dairy hygiene. The Scheme replaces the Dairy Hygiene Scheme which closed for new applications at the end of

2006. Under the Farm Improvement Scheme, a separate investment ceiling of €120,000 is applicable to dairy hygiene investments and the standard grant-rate applicable is 40%. I have also increased the eligible investment ceilings for milking equipment and bulk milk tanks to €40,000 and €25,000 respectively. The income unit limits applicable under the Dairy Hygiene Scheme have also been removed so that all dairy farmers will be able to participate in the new Scheme.

I am satisfied that the new Scheme provides a very attractive financial package for dairy farmers intending to improve the dairying facilities on their farms.

Animal Diseases.

129. **Deputy Mary Upton** asked the Minister for Agriculture, Fisheries and Food if she is satisfied that all appropriate procedures are in place to prevent the spread of foot and mouth disease to Ireland, in view of the number of outbreaks reported in Britain over the past two months, which are continuing; and if she will make a statement on the matter. [21788/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): My Department and I have been particularly proactive in taking measures designed to minimise the risk of the introduction to Ireland Foot and Mouth Disease (FMD) and I am satisfied that they are appropriate given the current level of risk of an outbreak of the disease in this country.

Immediately following confirmation of the first case of FMD in Surrey on 3 August, I introduced a ban on the importation to Ireland from Britain of live susceptible animals, fresh meat, raw milk and other products from such animals. I also instructed the immediate installation of disinfection points at Irish ports and airports. My Department also published information leaflets for people travelling from Britain and published information and advice notices in the national newspapers as well as providing advice to the organisers of agricultural shows. Furthermore, my Department updated the dedicated FMD website — www.footandmouth.ie — which contains a significant amount of useful information and advice and which continues to be updated as appropriate.

My Department has also engaged with various stakeholders to ensure that there is maximum awareness of the disease, its clinical signs and the nature of the control measures in place. We have constantly emphasised the need for ongoing vigilance, particularly among farmers and veterinary practitioners and of the need to ensure that any suspicions of disease are advised to my Department immediately.

Within days of the introduction of my ban on imports from Britain, the European Commission introduced a ban on the export from Britain of

susceptible live animals and products, including those included in my earlier ban. The Commission Decision was strictly enforced by my Department and a subsequent Commission Decision, introduced in the immediate aftermath of the first case in the second cluster of cases on 12 September, is currently being enforced by my Department.

In the short period during which live exports from Britain were permitted, there were three consignments of live animals imported from Britain and all have been traced and clinically examined and found not to have any signs of disease.

The continuing confirmation of cases is clearly a matter of concern and one which I am continuing to monitor very closely. Notwithstanding this second cluster of cases, the outbreak remains confined to Surrey and despite scores of suspect cases having been reported and investigated and a number of Temporary Control Zones set-up while samples were being analysed, no cases have been confirmed outside of the county. My officials and I are continuing to keep in close contact with Ministerial and official contacts in London and Belfast and we are working particularly closely with the Department of Agriculture and Rural Development (DARD) in Northern Ireland to ensure that the disease is kept off the island of Ireland.

In determining the adequacy of our control measures, I am satisfied that the measures currently in place are proportionate to the current risk and should that risk be reassessed I won't hesitate to revise our control measures should that approach be warranted.

130. Deputy Kathleen Lynch asked the Minister for Agriculture, Fisheries and Food if she has made representations to the British authorities on the outbreak of foot and mouth being traced to the facility at Pirbright laboratories in view of the potential implications for agriculture here; and if she will make a statement on the matter. [21805/07]

134. Deputy Ciarán Lynch asked the Minister for Agriculture, Fisheries and Food if it is intended to continue the use of a laboratory (details supplied) for analysis of possible foot and mouth samples here in view the serious security breaches there which have been linked to recent foot and mouth outbreaks in Britain; and if she will make a statement on the matter. [21804/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I propose to take Questions Nos. 130 and 134 together.

Following the outbreak of Foot and Mouth Disease (FMD) in Surrey on 3 August, the UK Government commissioned two reviews — one by the Health and Safety Executive (HSE) and the other by Professor Brian Spratt, Imperial

College, London — to look at the biosecurity arrangements at the Pirbright site at which the Institute for Animal Health and the Merial Animal Health Limited laboratory facilities are located.

The two reviews and the UK Government's response to them were published on 7 September. The reports concluded that the most likely cause of the outbreak was the escape of live virus from Pirbright, though the precise means by which the escape of the virus occurred was not fully established.

Both reports contain a number of recommendations, including a review of the full range of biosecurity measures and procedures at the Pirbright site, as well as recommendations relating to the role of the Department of the Environment, Food and Rural Affairs (Defra). These recommendations illustrate clear weaknesses in and breaches of biosecurity at Pirbright and I share the UK Government's stated view that the events at Pirbright were clearly a matter of significant concern.

In that regard, I welcome the UK Government's acceptance of all the recommendations made in the two reports and I note also the Government's claim that they 'have decided to go beyond these recommendations.' I note too that a programme of remedial work is to be undertaken at Pirbright and I look forward to the Government's reports to the British Parliament on the progress of this work.

I have had the opportunity to discuss the outbreak and its consequences with the Secretary of State for Environment, Food and Rural Affairs as well as the Minister for Agriculture and Rural Development in Northern Ireland and I certainly have confidence in the UK Government's commitment to ensure that all of the recommendations set out in the HSE and the Spratt reports are fully implemented.

The Institute for Animal Health (IAH) is the designated European Reference Laboratory for FMD and as such samples are required to be sent there for official confirmation of FMD, even though my own Department's laboratory service has the capability to detect a case of the disease. Notwithstanding my concerns about the events at Pirbright, I have no reason to question the diagnostic competence of the IAH and have, therefore, no reservations about sending samples there for confirmation or otherwise of FMD as the EU continues to recognise it as the official confirmatory laboratory for FMD.

Food Labelling.

131. Deputy Michael Creed asked the Minister for Agriculture, Fisheries and Food the steps she is taking at national and EU level to establish country of origin labelling on all primary food products. [21888/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The Minister for Health and Children has overall responsibility for the general food labelling legislation. Responsibility for enforcement of labelling legislation rests with the Food Safety Authority of Ireland (FSAI) through its service contracts with my Department, the Department of Communications, Marine and Natural Resources, the Health Services Executive, the Local Authorities and the National Consumer Agency.

In relation to the particular issue of country of origin labelling, compulsory beef labelling legislation incorporating the origin of this meat has been in place since September 2000. I have already collaborated with the Minister for Health and Children and introduced legislation to ensure that all beef sold or served in the retail or catering sector is now required to carry an indication of the country of origin. This legislation is enforced by the FSAI.

Regarding the labelling of poultry meat, there are EU Regulations which provide for the labelling of unprocessed poultry meat at retail level. The Regulations require such poultry meat to be labelled with the information regarding class, price, condition, registered number of slaughterhouse or cutting plant and, where imported from a Third Country, an indication of country of origin.

In relation to other meats I have signalled my intention to have legislation brought forward to require the country of origin to be shown on poultry meat, pig meat and sheepmeat sold in the retail and catering sectors. A draft of such regulations was prepared by my Department and is currently being finalized by the Department of Health and Children. A public consultation process is currently being conducted. Following consideration of any views received it will be necessary to submit the draft regulations to the European Commission for approval.

The EU Commission is currently reviewing the whole area of food labelling and in that context my Department contributed to Ireland's submission which was co-ordinated by the Department of Health and Children. Within this submission Ireland explained why it felt that origin labelling should be compulsory for all meat. As well as direct contact with the Commission I have also raised this matter in the Agriculture Council. I will continue to press for progress as I believe consumers are entitled to full information on the origin of food products.

132. **Deputy Seán Sherlock** asked the Minister for Agriculture, Fisheries and Food if her attention has been drawn to the recent survey (details supplied), showing that fewer than one in five consumers here have full confidence in fresh food imported from outside the EU; if she is satisfied with the level of labelling of fresh foodstuffs imported from abroad; her plans for improved

labelling; and if she will make a statement on the matter. [21782/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The Minister for Health and Children has overall responsibility for the general food labelling legislation. Responsibility for enforcement of labelling legislation rests with the Food Safety Authority of Ireland (FSAI) through its service contracts with my Department, the Department of Communications, Marine and Natural Resources, the Health Services Executive, the Local Authorities and the National Consumer Agency.

The survey to which the Deputy is referring was carried out on behalf of Agri Aware in early August 2006. While less than 20% of consumers have confidence in fresh foods imported from non-EU countries, the controls that have been put in place by the EU Commission are intended to ensure that such produce is safe to eat. The Commission has provided assurances that it will take immediate action in the event of any risk posed by imports of foodstuffs to consumer or animal health.

There is a legal obligation to display the country of origin for fresh fruit and vegetables. In the case of the importation of meat and meat products, there are specific requirements that such products must originate from a country approved by the EU, have been produced in an approved establishment and be accompanied by a health certificate in accordance with the provisions of Community legislation and must be presented for inspection at an EU approved Border Inspection Post.

Furthermore, there is compulsory beef labelling legislation in place since September 2000 which stipulates, among other things, that the origin must be placed on the label. There are also EU Regulations in place for poultry meat which provide for the labelling of unprocessed poultry meat at retail level. The Regulations require such poultry meat to be labelled with the information regarding class, price, condition, registered number of the slaughterhouse or cutting plant and, where imported from a Third Country, an indication of country of origin.

I have signalled my intention to have legislation brought forward to require the country of origin to be shown on poultry meat, pig meat and sheepmeat sold in the retail and catering sectors. A draft of such regulations was prepared by my Department and is currently being finalized by the Department of Health and Children. A public consultation process is currently being conducted. Following consideration of any views received it will be necessary to submit the draft regulations to the European Commission for approval.

The EU Commission is currently reviewing the whole area of food labelling and in that context my Department contributed to Ireland's submission which was co-ordinated by the Depart-

ment of Health and Children. Within this submission Ireland explained why it felt that origin labelling should be compulsory for all meat. As well as direct contact with the Commission, I have also raised this matter in the Agriculture Council. I will continue to press for progress as I believe consumers are entitled to full information on the origin of food products.

Food Prices.

133. **Deputy Jan O'Sullivan** asked the Minister for Agriculture, Fisheries and Food the estimate of the increase in food prices over each of the past five years; if she has quantified the reason for these increases; and if her attention has been drawn to the concerns of significant further increases in food prices over the coming months. [21798/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): According to data from the CSO, food prices increased by an average of just over 1% per annum in the 5 years since 2002. Over that period the increase in food prices was considerably lower than the overall rate of inflation as measured by the Consumer Price Index, which averaged 3.4% per annum over the same time frame.

Last year, food price inflation averaged 1.4% compared with a rate of 4% for overall inflation. While food price inflation has increased to 1.8% for the first eight months of the year, it remains substantially below the overall rate of inflation of 5% for the same period.

Rising input costs, at both producer and processor levels have fed through to put upward pressure on food prices. Pressure on input prices, in particular energy and raw material, is likely to continue for the foreseeable future, with strong competition on world dairy and cereal markets pushing up producer prices.

Question No. 134 answered with Question No. 130.

Beef Quality Assurance Scheme.

135. **Deputy Andrew Doyle** asked the Minister for Agriculture, Fisheries and Food the grant aid paid out under the beef quality assurance scheme and An Bord Bia beef marketing scheme; the percentage of this grant aid that was from the agriculture guidance and guarantee fund of the European Union; and her reason for supporting the importation of inferior quality Brazilian beef in view of the investment made to build up the highly regulated beef industry here. [21653/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): A Grant in Aid is provided to support Bord Bia in carrying out its statutory marketing and promotion functions. Decisions on the sectoral allocation of expenditure are taken by Bord Bia and have regard to

EU state aid rules. The Grant in Aid is currently €26.505 million. In addition, some €2.3 million is being provided this year to Bord Bia by my Department towards certification costs under beef and lamb quality assurance schemes. These amounts are funded directly from the exchequer and not from the agriculture guidance and guarantee fund of the European Union.

The Deputy's assertion in the latter part of his question is without foundation and contrary to the facts. I have clearly and consistently advocated that produce imported from non-EU countries must meet standards equivalent to those required of Community producers. My position in this regard is better understood by the EU Commissioner for Health, Mr Kyprianou with whom I have regular contact. The position is that, similar to imports of beef coming from other third countries, imports of beef from Brazil must satisfy EU import requirements. The Commissioner has assured me that in the event of any risk from imports of foodstuffs the Commission will act to protect EU consumer or animal health. In the interests of both EU producers and consumers I will continue to pursue this matter especially in the light of forthcoming EU Food and Veterinary Office missions to Brazil and in the context of WTO negotiations.

Farm Incomes.

136. **Deputy Emmet Stagg** asked the Minister for Agriculture, Fisheries and Food her views on the 26% decline in farm incomes for 2006, compared to 2005, as reported recently by Teagasc; her plans to ensure an increase in farm incomes, particularly in view of the Teagasc finding that average farm income in 2006 was just €16,680 overall and €34,486 for a full time family farm; and if she will make a statement on the matter. [21791/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The NFS results for 2006 showed a 26% decline in average family farm income following an increase of 44% in 2005. Both these figures were due to exceptional circumstances as the overlap in direct payments paid in 2005, (with the introduction of the Single Payment Scheme and the payment of balance payments on 2004 premia scheme) was not repeated in 2006.

As in previous years farm incomes varied substantially depending on the size and system of farming. The overall average reflects the fact that many farms are operated on a relatively small scale and are suitable to part-time farming. Larger, more commercial units, derive a more substantial return for labour and investment.

In recognition of the contribution farmers make to our economy, not just in providing a source of high quality local food, but also in providing employment and maintaining the countryside, there is a high level of public support of the

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sector, with direct payments averaging €16,346 per farm in 2006. Since direct payments were decoupled from production in 2005, farmers have the opportunity to focus more clearly on market needs in order to maximize their profits.

Question No. 137 answered with Question No. 117.

Fishing Fleet.

138. **Deputy Eamon Gilmore** asked the Minister for Agriculture, Fisheries and Food her proposals for the decommissioning of one-third of the whitefish fleet; the estimated number of vessels to be scrapped and the expected job losses involved; the estimated cost of the decommissioning programme; and if she will make a statement on the matter. [21802/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The Scheme to Permanently Withdraw Capacity from the Whitefish Sector of the Irish Fishing Fleet will involve the decommissioning of 35% of the capacity of the whitefish fleet 18 metres in length and over. This scheme will see up to 11,000 gross tonnes removed from the fleet; the target recommended by the Seafood Industry Strategy Review Group (Recommendation 4.1). This will result in up to 70 whitefish vessels permanently leaving the fleet.

I met Mr Joe Borg, EU Commissioner for Fisheries and Maritime Affairs last week to press for early EU State Aid approval for the planned scheme. To ensure maximum take-up an incentive premium and a selective reduction in the qualifying age of vessels will apply — but only for a defined time period.

The scheme, which will receive European Fisheries Fund support, will cost up to €58 million and is open to vessels owners in respect of fishing vessels that:

- Are registered in the polyvalent or beam trawl segments of the Irish fleet.
- Are operational at the time the decision is taken to grant the withdrawal premium.
- Are 15 years or more in age at the time of application — reduced to 10 years in specific circumstances.
- Are 18 metres or more in overall length.
- Have carried out a fishing activity for a prescribed minimum number of days at sea in the two years preceding the 30th June 2007.

Up to 580 crew members will be potentially affected by this scheme. However, it is expected that many will find employment on other vessels that remain in the fleet.

Food Labelling.

139. **Deputy Jan O'Sullivan** asked the Minister for Agriculture, Fisheries and Food the steps she is taking to ensure that non-organic food is not mislabelled; and if she will make a statement on the matter. [21797/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I am fully committed to ensuring that consumers can have full confidence in the organic food they buy. For that reason my Department has assigned additional resources to the Organic Unit and they are now systematically inspecting retail outlets, including supermarkets, shops and farmers markets, checking to ensure that all product identified as organic has been produced fully in accordance with the organic regulations.

The introduction of the European Communities (Organic Farming) Regulation 2004 (S.I. No 112 of 2004) gave my Department powers to prosecute contraventions of Council Regulation (EEC) No. 2092/91 on organic production and indications referring thereto on agricultural products and foodstuffs. To date one operator has been convicted of an offence for labelling product in contravention of these Regulations. I am pleased to inform the House that this Statutory Instrument has been amended today to grant significant additional statutory powers to Department officials to enable them to carry out their work in a more effective manner.

Farm Accidents.

140. **Deputy Willie Penrose** asked the Minister for Agriculture, Fisheries and Food the number of persons killed or injured in farm accidents during 2006 and to date in 2007; the steps she will take to improve safety practices on farms and to reduce the number of farm deaths and injuries; and if she will make a statement on the matter. [21793/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): I am, of course, very concerned about the level of safety on our farms. Last year 18 people died on Irish farms (8 of these people were aged over 70) and this year up to 1 August 8 people have died. It is estimated that there are some 3,000 injuries on farms each year. I strongly support the work of The Health and Safety Authority (HSA), which is charged with overall responsibility for promotion of workplace health, and safety.

The Farm Safety Partnership, an advisory committee to the HSA that is made up of representatives from the Department of Agriculture Fisheries and Food Teagasc and other farming groups, supports and co-ordinates the majority of research and promotional activities in relation to farm safety. On a practical level the HSA stand at the ploughing championships featured machinery safety demonstrations. A Code of Practice for the

Prevention of Accidents and Occupational ill health in Agriculture was launched by the HSA at the ploughing championships in September 2006. The aim of the Code of Practice is to provide practical guidance to farmers and to help improve the level of safety and health in the agriculture sector. My Department in conjunction with the Department for Labour Affairs circulated some 160,000 copies of the Code of Practice to all farmers in late November/early December 2006. Teagasc, the statutory body responsible for training in the agriculture sector, aim to provide training for 9000 farmers on the Code of Practice in 2007. I would strongly urge farmers to attend this course.

There is also serious concern at the number of elderly farmers suffering accidents on the farm and to highlight this issue, the Health and Safety Authority issued leaflets on “safety and elderly farmers” at the Ploughing Championships this year.

We are also concerned with child safety on farms and the HSA, together with Teagasc has developed a new child safety book. This was launched by Minister for Labour Affairs at the Ploughing Championships this year. This free book illustrates the hazards, which may be encountered on a farm, and again I would strongly urge all farming parents to read the book with their children and thus ensure that the safety message gets across.

The provision of training is of utmost importance and especially in the area of Health and Safety. A twenty-hour training course is mandatory for all participants in the Rural Environment Protection Scheme (REPS). My Department has ensured that one module of this training is devoted to Health and Safety in farming.

Additionally, under the new Farm Improvement Scheme, grant aid may be provided against investment made for the purposes of increasing on-farm safety. Eligible items include:

- Safety rails on silo walls
- Safety fencing/solid cover for external slurry and effluent stores
- Safety covers on external agitation points or manholes
- Removal of existing internal agitation point and replacement by gang slat
- Replacement of damaged slats (single/twin/ gang) by gang slats
- Replacement of a hinged door/sheeted gate with a sliding door on animal housing

Finally, I would stress to all farmers the need to follow the guidance of the Health and Safety Authority and take ownership of the Code of Practice for the Prevention of Accidents and Occupational ill health in Agriculture.

Food Safety.

141. **Deputy Willie Penrose** asked the Minister for Agriculture, Fisheries and Food if she is satisfied that there are adequate checks and safeguards in place to ensure that infected beef is not imported into Ireland or the EU generally from countries where foot and mouth is widespread; and if she will make a statement on the matter. [21794/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The placing of animal products on to the EU market may only take place where the conditions for their production and processing meet the EU’s animal and public health requirements. Where risks to the safety of animal and public health arise from animal disease outbreaks, such as the foot and mouth disease, the EU Commission, which has responsibility in this area, immediately places restrictions on trade in live animals and animal products of the susceptible species until such risks have been eliminated. In this context safeguard measures banning importation from regions in Brazil that are affected by foot and mouth disease have been applied since 2005. More recently measures banning the export of meat and live animals of susceptible species from the UK have been applied since the outbreak of the disease in Surrey.

At the point of entry on the territory of the EU, importers of animal products are required to present consignments and the health certificates to an approved Border Inspection Post (BIP) for veterinary inspection. Documentary, identity and physical checks including checks on the origin of the products are carried out at the BIP in accordance with EU requirements. Where it is established that imported animal product has met all required conditions it is released for free circulation within the Community. Copies of the BIP clearance documentation must accompany the consignment to its first food business operator destination. Imports failing to comply with these veterinary control checks may be detained for further examination. If non-compliance is established the products are seized for destruction at cost to the importer.

My Department has also increased its controls supervising intra-community trade in animals and animal products in particular with the UK in order to safeguard this country’s very high animal health status. My Department’s services co-operates closely on protecting the animal health status of the island of Ireland with the Department of Agriculture and Rural Development of Northern Ireland.

WTO Negotiations.

142. **Deputy Terence Flanagan** asked the Minister for Agriculture, Fisheries and Food the status of the WTO talks. [21894/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The negotiations on a new WTO agreement were launched at Doha in November 2001. While significant progress has been made towards concluding an agreement, most notably in the Framework Agreement which was reached in Geneva in August 2004 and at the WTO Ministerial Conference in Hong Kong in December 2005, final agreement has not yet been reached. The negotiations resumed fully in January 2007 following a breakdown in July 2006.

In June 2007, a meeting of the G4 group of major negotiating partners (India, US, Brazil and EU) ended without significant agreement and this was seen a major setback in efforts to reach a successful conclusion to the Round. Following this the focus of negotiations has returned to the multilateral process in Geneva. These negotiations are on-going at present and the efforts to achieve progress will continue over the coming months.

I remain committed to an ambitious and balanced outcome to the negotiations. As an open economy dependent on trade Ireland has much to gain from a successful deal. However, I am determined that agriculture must not be sacrificed for the sake of an overall agreement and

that, in accordance with the agreed EU negotiating mandate, a new WTO agreement will not necessitate further reform of the CAP. The EU has undertaken CAP reform in preparation for the negotiations and I believe that it has already made a generous offer to reduce trade distorting subsidies and to provide substantial Special and Differential Treatment for developing countries.

I have consistently outlined my position in the clearest possible terms in the Council of Agriculture Ministers, most recently on 26 September, and I have emphasised the absolute necessity that the Commission remain within the terms of the negotiating mandate. I will continue to work closely with like-minded Ministers in other Member States to seek support for my position.

Ministerial Expenses.

143. **Deputy Leo Varadkar** asked the Taoiseach the amount of money paid in expenses to each Minister of State in his Government Department; the headings under which they were paid for each of the past five years; and if he will make a statement on the matter. [22015/07]

The Taoiseach: Details of the amounts paid to each Minister of State in my Department during the last five years are listed in the following tables.

Minister of State and Chief Whip Mary Hanafin

Item	2003	2004	2005	2006	2007 (up to end of Sept)
Subsistence	€4,937	€3,529	Nil	Nil	Nil

Minister of State Dick Roche

Item	2003	2004	2005	2006	2007 (up to end of Sept)
Mileage	€19,956	€14,841	Nil	Nil	Nil
Subsistence	€221	Nil	Nil	Nil	Nil
Official Entertainment	Nil	€197	Nil	Nil	Nil

Minister of State and Chief Whip Tom Kitt

Item	2003	2004	2005	2006	2007 (up to end of Sept)
Subsistence	Nil	Nil	€1,305	€1,272	€699

Minister of State Noel Treacy

Item	2003	2004	2005	2006	2007 (up to end of Sept)
Subsistence	Nil	Nil	€650	€196	Nil

Legal Costs.

144. **Deputy Michael Creed** asked the Tánaiste and Minister for Finance the role of his Department in a legal case (details supplied); if the State

is now the defacto owner of property referred to therein; the costs involved in this legal case; if the State will pursue other parties in respect of costs involved; and if he will make a statement on the matter. [21941/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): All legal matters relating to the State Property Act, 1954 are dealt with by the Office of the Chief State Solicitor on my behalf.

Between 1986, when the company in question (which owns the property) was struck off the Register of Companies for not submitting annual returns to the Companies Registration Office, and 2006, the property vested in the Minister for Finance under the State Property Act, 1954. In 2006, the company was restored to the Register, on foot of an application by the person residing on the property to the High Court. The property reverted to the company. There are a number of motions pending in the Courts, both from a third party and the Chief State Solicitor's Office — the motion from the latter seeks to remove the State from the proceedings. No determination as to costs has been made as the first of the motions is due to be heard on 8 October 2007. A decision on the question of the State's pursuing other parties for costs will await the outcome of the Courts' deliberations on the motions before them.

Tax Code.

145. **Deputy Ulick Burke** asked the Tánaiste and Minister for Finance his plans to request the Revenue Commissioners to discontinue its practice of imposing penalties on deceased tax payers families as it is considered to be contrary to Article 6 of the European Convention of Human Rights; and if he will make a statement on the matter. [21963/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): Section 1060(1) of the Taxes Consolidation Act 1997 provides that where a deceased has incurred a penalty, "any proceedings under the Tax Acts which have been or could have been commenced against that person may be continued or commenced against his or her executor or administrator, as the case may be, and any penalty awarded in proceedings so continued or commenced shall be a debt due from and payable out of his or her estate". Accordingly, penalties are imposed on the personal representatives of a deceased person and are payable out of the estate. Such penalties are not imposed on the family or heirs of the deceased. The implications for such provisions of the European Convention on Human Rights, which was incorporated into Irish law by The European Convention on Human Rights Act 2003, are kept under review.

Ministerial Expenses.

146. **Deputy Leo Varadkar** asked the Tánaiste and Minister for Finance the amount of money paid in expenses to each Minister of State in his Government Department; the headings under which they were paid for each of the past five

years; and if he will make a statement on the matter. [22010/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): The Minister of State at the Department of Finance with special responsibility for the Office of Public Works has received a total of €528.71 in expenses, broken down as follows:

20/06/07 to 1/10/07

	€
Foreign Travel	378.71
Miscellaneous	150.00

The following expenses were paid to the Minister of State at the OPW for the period 19/06/02 to 19/06/07 under the following headings and do not include possible travel and subsistence payments made in respect of foreign travel:

Year	Item	€
2007	Home Travel	19,749.49
	Miscellaneous	1,185.92
2006	Home Travel	42,809.96
	Miscellaneous	640.00
2005	Home Travel	30,825.97
2004	Home Travel	34,917.29
2003	Home Travel	35,259.57
	Miscellaneous	727.19
2002	Home Travel	14,523.04
	Miscellaneous	1,909.59

In addition to the sums paid to the Minister of State from the OPW vote, some €2,300 was paid from The Office of the Minister for Finance in expenses for the period 01/01/2002 to 01/10/07.

Year	Item	€
2007	EU Travel	100.00
2006	EU Travel	200.00
	Home Travel	120.00
2005	EU Travel	400.00
2004	EU Travel	975.00
2003	EU Travel	545.00
2002	EU Travel	600.00

Site Acquisitions.

147. **Deputy Denis Naughten** asked the Tánaiste and Minister for Finance further to Parliamentary Question No. 237 of 26 September 2007, if payment has been made to the land-owners; the amount paid; the amount outstand-

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ing; and if he will make a statement on the matter. [22032/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): The Chief State Solicitor continues to await closing documents from the Vendors Solicitor. Until the sale has been finalised it would be inappropriate to discuss the exact financial details of this transaction. I can confirm however the purchase monies have been forwarded to the Vendors Solicitor in accordance with Law Society practice and is held in trust until all closing requirements are satisfied.

Tax Code.

148. **Deputy Phil Hogan** asked the Tánaiste and Minister for Finance if further to Parliamentary Question No. 167 of 26 June 2007, it remains his intention to introduce changes to the current VRT system to take account of environmental issues from a target date of 1 January 2008; the notice period of any changes to VRT rates he proposes to give to members of the public and the motor trade in the context of their purchasing and ordering decisions for new vehicles arriving in 2008; and if he will make a statement on the matter. [22061/07]

149. **Deputy Phil Hogan** asked the Tánaiste and Minister for Finance if he will continue the current VRT rebate applying to cars that adopt hybrid technology following the expiration of the relief at the end of December 2007; when he will be making clear his intentions in relation to the extension or expiration of the relief; if his attention has been drawn to the potential impact of uncertainty about the availability of the relief on consumers in the context of ordering and purchasing new hybrid vehicles for delivery in 2008; and if he will make a statement on the matter. [22062/07]

150. **Deputy Phil Hogan** asked the Tánaiste and Minister for Finance why he has not announced details of changes to the current VRT system in the context of his commitments in Budget 2007 and in reply to parliamentary questions, that the new system of VRT rates would apply from 1 January 2008; if his attention has been drawn to the difficulties presented to both the motor trade and purchasers of new cars in the context of 2008 sales arising from the uncertainty

about the applicable VRT rates; and if he will make a statement on the matter. [22063/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I propose to take Questions Nos. 148 to 150, inclusive, together.

In Budget 2007, I announced that it was planned to introduce changes to the current VRT system to take greater account of environmental issues, and in particular Carbon Dioxide (CO₂) emissions, with a target date of 1 January 2008. The Programme for Government re-affirms the commitment to introduce measures to further weight VRT in favour of cars with lower emissions.

A public consultation in this regard has taken place. Work on the matter is ongoing and a range of possible options are being considered. As regards the timing of when the changes in the VRT are implemented, it is desirable that members of the public be given reasonable notice of any changes being introduced. Therefore it is proposed to provide for changes to the VRT system in the 2008 Finance Bill, with an implementation date of around mid 2008.

The appropriate treatment of hybrids and flexible fuel cars will be taken into account in any future changes to the current VRT system. In the meantime, relief for hybrids and flexible fuel cars will continue.

Tax Yield.

151. **Deputy Phil Hogan** asked the Tánaiste and Minister for Finance the amount of VRT that was recovered by the Exchequer in respect of the sale of motor vehicles for each month in 2007; the proportion of vehicle sales that occurred in the first quarter of 2007 as against the rest of the year; and if he will make a statement on the matter. [22064/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am advised by the Revenue Commissioners that approximately 58% of net registrations of new cars for VRT to date in 2007 (end August) took place in the first quarter of the year. The number of net registrations of new cars for VRT in 2007 to date represents an increase of over 5 per cent compared to the same period in 2006.

The table below provides information regarding the number of net registrations of cars for VRT and the amount of VRT collected in each month in 2007 to date.

Month	New Net Registrations	VRT (€'000's)	Used Net Registrations	VRT (€'000's)	Total Net Registrations	Total VRT (€'000's)
Jan.	45,071	324,715	4,922	14,678	49,993	339,393
Feb.	25,966	178,477	4,527	13,687	30,493	192,164
March	27,385	182,889	4,679	14,537	32,064	197,426
April	16,409	120,075	4,682	14,114	21,091	134,189
May	19,938	142,512	5,256	16,790	25,194	159,302

Month	New Net Registrations	VRT (€'000's)	Used Net Registrations	VRT (€'000's)	Total Net Registrations	Total VRT (€'000's)
June	14,796	107,049	4,699	15,391	19,495	122,440
July	12,631	87,771	4,594	15,069	17,225	102,840
August	8,463	61,231	4,616	15,295	13,079	76,526
TOTAL	170,659	1,204,719	37,975	119,561	208,634	1,324,280

Motor Fuels.

152. **Deputy Phil Hogan** asked the Tánaiste and Minister for Finance if, in respect of the recent announcement of a procurement competition for new Ministerial cars by the Government Supplies Agency, he will indicate the fuel types selected; the proportion of cars that are run on biofuels or hybrid technology; and if he will make a statement on the matter. [22067/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): The Government Supplies Agency (GSA) awarded drawdown contracts in September 2007 to cover the purchase of 18 large executive saloon cars for the Ministerial fleet. This tender competition was for diesel-engined vehicles. Contracts were awarded for the following vehicles:

BMW 525d SE Saloon

Audi A6 3.0 TDI SE

Citroen C6 2.7 Hdi TGV

Volvo S80 D5 SE

All of these cars have the capacity for the inclusion of biodiesel in the fuel mixture. To date there has been one purchase from the above competition — an Audi A6.

Prior to the present competition a total of eight vehicles were purchased since January 2006 under GSA contract for use by Ministers. Of these, 7 were powered by hybrid Petrol/Electric engines (5 Lexus and 2 Prius) and 1 — an Audi A6 — with a traditional petrol engine.

Tax Code.

153. **Deputy Tony Gregory** asked the Tánaiste and Minister for Finance his views on whether a more appropriate commencement date for the changes in stamp duty which he introduced would be the start of January 2007 and not the more arbitrary end of March 2007; and if he will review this matter in view of the hardship caused to and the inequity imposed on those purchasers of homes in the first three months of 2007. [22096/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): The Finance (No. 2) Act 2007 introduced an exemption from stamp duty for first-time buyers in accordance with the commitments made in the Programme for Government to bring about immediate change to the stamp duty code for first-time buyers.

This provided that deeds presented by first-time buyers to the Revenue Commissioners on or after 30 April 2007 will be exempt from stamp duty. As a deed must be presented to the Revenue Commissioners within 30 days of execution, the Act was drafted to provide for exemption for deeds executed on or after 31 March 2007.

154. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Finance if he will arrange for the tax affairs of a person (details supplied) in Dublin 3 to be regularised as soon as possible; and if he will make a statement on the matter. [22111/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): The Revenue Commissioners have advised me that an amended statement has just issued to the taxpayer for the year 2003 showing a net refund of €748.93 for the four years ended 31 December 2005. A cheque for this amount will issue shortly. Revenue has also written to the taxpayer giving a full breakdown of how the net refund was calculated.

Tax Incentive Schemes.

155. **Deputy David Stanton** asked the Tánaiste and Minister for Finance further to Parliamentary Question No. 238 of 26 September 2007, the hospitals, nursing homes, maternity homes or other institutions approved by the him under Section 469 of the Taxes Consolidation Act, 1997 which qualify for tax relief in respect of health expenses and which are not located in the State; the date when each institution was approved; the criteria used in each case; and if he will make a statement on the matter. [22144/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): The position is that there are almost 1,500 institutions approved of for the purposes of section 469 of the Taxes Consolidation Act 1997 of which approximately 340 are located outside of the State. A full list of the institutions is available on the Revenue Commissioners' website at www.revenue.ie.

The 1,500 or so institutions have been approved of over the 40 year period since the relief was first introduced in 1967 in accordance with the provisions of the legislation as it has applied over that period. The information requested by the Deputy in relation to institutions outside the State is not readily available

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and could not be obtained without conducting a protracted investigation of records held by my Department, by the Revenue Commissioners and by the Department of Health and Children.

Disability Payments.

156. **Deputy Róisín Shortall** asked the Minister for Health and Children the action she proposes to take to introduce a cost of disability payment; and if she will make a statement on the matter. [21943/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): As the Deputy is aware the Department published a Sectoral Plan in 2006 as part of the implementation of Disability Act 2005. The Sectoral Plan establishes a system for the assessment of individual needs for people with a disability.

The Sectoral Plan also identifies key objectives in relation to income support and associated benefits for people with disabilities. This Government is committed to developing income and related supports for people with disabilities in order to ensure that they have adequate, secure and sustainable income. The Government is working towards ensuring that income supports and associated benefits do not create financial barriers to people with disabilities.

My Department is committed to considering the issues around the cost of disability following the development of the needs assessment system provided for in the Disability Act.

Health Services.

157. **Deputy Jan O'Sullivan** asked the Minister for Health and Children if her attention has been drawn to a letter sent to pharmacists on 17 September 2007 by the Health Service Executive proposing to reduce the wholesale mark-up on medicines without consultation with the Irish Pharmaceutical Union; if she will intervene to ensure that the concerns of pharmacists are addressed; and if she will make a statement on the matter. [22210/07]

158. **Deputy Finian McGrath** asked the Minister for Health and Children if she will support requests (details supplied). [22168/07]

183. **Deputy Bernard J. Durkan** asked the Minister for Health and Children the extent of the discussions she, her Department or the CEO of the Health Service Executive have had with front line staff such as general practitioners, pharmacists, consultants or health service or hospital administrators prior to the recent announcement in respect of the new proposals in regard to the purchase and dispensing of drugs; the extent to which wholesalers or retailers have had an input in such discussions; the degree to which the

service in terms of scale or quality to the customer is expected to be affected; the net benefit in terms of costs to such parties; if the hours or quality of services are expected to be affected; the extent of same; and if she will make a statement on the matter. [22135/07]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 157, 158 and 183 together.

My Department and the HSE have been reviewing the pharmaceutical supply chain, with a view to seeking value for money in the State's drugs bill in order to better fund existing and innovative therapies without compromising continuity of supply or patient safety. An HSE-led negotiating team, including officials from my Department, engaged with the Irish Pharmaceutical Healthcare Association (IPHA) and the Association of Pharmaceutical Manufacturers of Ireland (APMI), representing the proprietary and generic supplier representative bodies, and completed new agreements with these bodies in mid-2006. These agreements are in place.

As wholesale margins are not addressed in the new IPHA and APMI Agreements, it was intended to negotiate direct formal arrangements with the wholesale sector. Following completion of the manufacturer agreements and in line with the process agreed by the Cabinet Committee on Health, the negotiating team entered talks with the wholesaler representative body, the Pharmaceutical Distributor's Federation (PDF).

Early in discussions, PDF refused to negotiate a new margin for community supply, based on its own legal advice that this was a contractual matter between individual wholesalers and retailers. Subsequent legal advice to the HSE, confirmed by legal advice to my Department, indicated that, under section 4 of the 2002 Competition Act, PDF as an association of undertakings may not collectively negotiate fees, prices or margins on behalf of its members. Given the fact that the Irish Pharmaceutical Union is also an association of undertakings, it is not possible for the State to negotiate with PDF or the IPU on fees or margins as such negotiations would place these bodies at risk of prosecution.

In light of the legal position arising from the wholesaler legal advice, the negotiating team reconsidered how best to address the review of pharmaceutical supply. Based on the legal advice, a consultation process accompanied by independent economic analysis was considered the most appropriate means to allow for the determination of new reimbursement arrangements. The consultation process involved direct discussion with wholesaler companies and a call for public submissions, published on 20th December 2006, in response to which a total of 161 submissions (including 143 from community pharmacy contractors) were received.

Following the completion of public consultation, and informed by independent economic analysis, new reimbursement arrangements were announced by the HSE on 17th September 2007. In its examination of the issues involved, the negotiating team considered a reimbursement level that reflects the market value of pharmaceutical wholesale services, and security and continuity of supply at current levels to patients. The evidence on which the decision is based, following examination of the issues, direct consultation and independent economic analysis, all indicates that the State is currently paying a premium for the services in question. It is possible and necessary for revised arrangements to be put in place without a substantial impact on the delivery of such services.

Information available to the negotiating team indicates that small and rural pharmacies typically receive discounts of 2-3% on the existing wholesale margin, while larger urban pharmacies and chains typically receive discounts of up to 12%. Therefore, smaller and rural pharmacies would be proportionately less affected by the revised arrangements.

In the light of the legal advice received, and following consultation with the IPU, a separate procedure was also agreed to examine available options for advancing contractual negotiations in compliance with Irish and EU competition law. This process is being chaired by Mr Bill Shipsey, SC. This process is continuing.

Services for People with Disabilities.

159. **Deputy Pat Breen** asked the Minister for Health and Children the status of an application for a person (details supplied) in County Clare; and if she will make a statement on the matter. [21940/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): The Deputy's question relates to the management and delivery of health and personal services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

160. **Deputy Pat Breen** asked the Minister for Health and Children when the post of occupational guidance counsellor will be put in place in a school (details supplied) in County Clare; and if she will make a statement on the matter. [21945/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): As the Deputy may be aware, subject to overall par-

ameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public.

The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Cancer Screening Programme.

161. **Deputy Ulick Burke** asked the Minister for Health and Children the additional funding she is providing to University College Hospital, Galway following her announcement of her change in policy dealing with breast cancer; the number of new specialist staff she is providing to service the increased work load; the way she reconciles this new recruitment need with her announced embargo on the creation of new posts; if she envisages an increased waiting time for treatment of patients referred to UCHG; and if she will make a statement on the matter. [21964/07]

Minister for Health and Children (Deputy Mary Harney): University College Hospital Galway is one of the eight cancer centres designated by the Health Service Executive last week. The decisions of the HSE in relation to four managed cancer control networks and eight cancer centres will be implemented on a managed and phased basis. The HSE plans to have completed 80-90% of the transition of services to the cancer centres by the end of 2009. Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular questions raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

Hospital Services.

162. **Deputy Ulick Burke** asked the Minister for Health and Children the progress made following her visit to St Brendan's Hospital, Loughrea, in the construction and provision of the new 40 bed unit at the hospital in view of the need for long stay beds for elderly in the area and the constant reduction in the bed capacity at the

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hospital over the past six years; and if she will make a statement on the matter. [21965/07]

Minister of State at the Department of Health and Children (Deputy Máire Hootor): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Minister of State	Unvouched Expenses	Official Entertainment	Travel & Subsistence
	€	€	€
Mary Hanafin T.D.	0	0	76
Dr Tom Moffat T.D.	0	0	136
Ivor Callely T.D.	22,312	0	72,939
Brian Lenihan T.D.	55,240	0	88,658
Sean Power T.D.	32,928	604	126,761
Tim O'Malley T.D.	55,240	0	149,035
Dr Jimmy Devins T.D.	1,701	0	175
Pat 'The Cope' Gallagher T.D.	2,096	0	194
Maire Hootor T.D.	1,701	0	0
Brendan Smith T.D.	2,400	0	0

Health Services.

164. **Deputy Chris Andrews** asked the Minister for Health and Children the reason persons (details supplied) in Dublin 4 are having to pay for both taxi and an escort; and if she will make a statement on the matter. [22022/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

165. **Deputy Paul Connaughton** asked the Minister for Health and Children the reason some children attending a school (details supplied) in County Galway are unable to access dental care at the Tuam Health Centre; if her attention has been drawn to the long delays in getting examinations and subsequent treatments carried out; and if she will make a statement on the matter. [22029/07]

Ministerial Expenses.

163. **Deputy Leo Varadkar** asked the Minister for Health and Children the amount of money paid in expenses to each Minister of State in her Government Department; the headings under which they were paid for each of the past five years; and if she will make a statement on the matter. [22012/07]

Minister for Health and Children (Deputy Mary Harney): The amount paid in expenses to each Minister of State at my Department for the period 1st January 2003 to 30th September 2007 is set out in the table below.

Minister for Health and Children (Deputy Mary Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

166. **Deputy Paul Connaughton** asked the Minister for Health and Children the position regarding a medical card appeal in the name of a person (details supplied) in County Galway; and if she will make a statement on the matter. [22030/07]

Minister for Health and Children (Deputy Mary Harney): Medical cards are made available to persons and their dependants who would otherwise experience undue hardship in meeting the cost of General Practitioner (GP) services. In 2005 the GP visit card was introduced as a graduated benefit so that people on moderate and lower incomes, particularly parents of young children, who do not qualify for a medical card would not be deterred on cost grounds from visiting their GP.

Since the beginning of 2005 substantial changes have been made to the way in which people's eligibility for a medical card is assessed and these apply equally to the assessment process for a GP visit card. The income guidelines have been increased by a cumulative 29% and in addition allowance is now made for reasonable expenses incurred in respect of mortgage/rent, child care and travel to work costs. In June 2006 I agreed a further adjustment to the income guidelines for GP visit cards. These are now 50% higher than those in respect of medical cards.

As the Health Service Executive has the operational and funding responsibility for these benefits, it is the appropriate body to consider the particular case raised by the Deputy. My Department has therefore requested the Parliamentary Affairs Division of the Executive to arrange to address this matter and to have a reply issued directly to the Deputy.

Hospital Charges.

167. **Deputy Denis Naughten** asked the Minister for Health and Children the annual amount of hospital fees collected and the corresponding amount which remains uncollected; the breakdown of the reasons for and value of uncollected fees; and if she will make a statement on the matter. [22031/07]

Minister for Health and Children (Deputy Mary Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Compensation Schemes.

168. **Deputy Denis Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 424 of 26 September 2007, when she expects to receive the final report of the Vaccine Damage Group; and if she will make a statement on the matter. [22033/07]

Minister for Health and Children (Deputy Mary Harney): The Group is continuing with its consideration of this matter, and is consulting with a number of representative bodies and individuals, and I look forward to receiving their final recommendations when their work is complete.

Hospitals Building Programme.

169. **Deputy Frank Feighan** asked the Minister for Health and Children the progress on the community hospital, Ballinamore, County Leitrim (details supplied); and if she will make a statement on the matter. [22048/07]

Minister for Health and Children (Deputy Mary Harney): I have been advised that the Health Service Executive (HSE) recently issued a reply to the Deputy in relation to Question No. 259 of the 26th June 2007.

Health Services.

170. **Deputy Michael Ring** asked the Minister for Health and Children if she will instruct the Health Service Executive to immediately provide home help to a person (details supplied) in County Mayo to enable them to continue living at home in view of the fact that the person is in their seventies, was recently discharged from hospital and lives alone. [22049/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Mental Health Services.

171. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if moneys from the sale of St. Loman's Hospital will be used for the erection of the new mental health centre in Ballyfermot, Dublin 10; and the amount of same. [22059/07]

172. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if the new mental health centre in Ballyfermot, Dublin 10 will be on the site of the existing one; and the timeframe involved. [22060/07]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 171 and 172 together.

Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The Executive, therefore, is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

173. **Deputy Pádraic McCormack** asked the Minister for Health and Children the steps she will take to ensure the establishment of a warfarin

[Deputy Pádraic McCormack.]

clinic at University College Hospital Galway in view of the fact that this is the centre of highest population in the western region; and if she will make a statement on the matter. [22068/07]

Minister for Health and Children (Deputy Mary Harney): The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

174. **Deputy Finian McGrath** asked the Minister for Health and Children her plans with regard to the breast care unit in Sligo General Hospital; and if she will make a statement on the matter. [22070/07]

Minister for Health and Children (Deputy Mary Harney): The HSE has designated four managed cancer control networks (coterminous with the four HSE administrative regions) and eight cancer centres nationally. The two designated cancer centres in the HSE Western Region are University College Hospital Galway and Limerick Regional Hospital.

I recently approved National Quality Assurance Standards for Symptomatic Breast Disease Services under the Health Act 2007. Arising from the designation of cancer centres and in order to comply with the Standards, the Executive has directed thirteen hospitals, with low case volumes (less than twenty procedures per year) to cease breast cancer services immediately, to be followed by further staged reductions in the number of hospitals providing breast cancer services from twenty-two to the eight cancer centres. A number of the thirteen hospitals have in practice already discontinued symptomatic breast services. The National Hospitals Office has already planned the redirection of this symptomatic caseload. Additional groups of hospitals, including Sligo General Hospital will be similarly directed, in line with the further development of quality assured capacity in the eight designated centres.

175. **Deputy Finian McGrath** asked the Minister for Health and Children her plans with regard to the breast care unit in Letterkenny General Hospital; and if she will make a statement on the matter. [22072/07]

Minister for Health and Children (Deputy Mary Harney): The HSE has designated four managed cancer control networks (coterminous with the four HSE administrative regions) and eight cancer centres nationally. The two designated cancer centres in the HSE Western Region

are University College Hospital Galway and Limerick Regional Hospital.

However, it is fully recognised that there are particular and unique geographical circumstances applying to Donegal. This is reflected in North-South co-operation in the provision of radiation oncology to patients from Donegal at Belfast City Hospital. On a sole exception basis, the Managed Cancer Control Network in the West will therefore be permitted to enter into outreach service delivery in Letterkenny as an additional activity. This exception is subject to quality assurance criteria and also to the proviso that the potential to meet the needs of cancer patients in Donegal through North-South initiatives, such as the Belfast radiation oncology service must be optimised and fully facilitated.

The HSE has decided that breast services at Letterkenny General Hospital should be delivered as part of the services at University College Hospital Galway. A breast service clinical network is currently operating between Letterkenny and Galway. The service includes weekly meetings of combined multi-disciplinary teams, facilitated by telemedicine.

Health Services.

176. **Deputy Fergus O'Dowd** asked the Minister for Health and Children the progress to date in County Louth in providing services to people with cystic fibrosis; and if she will make a statement on the matter. [22073/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issue raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

177. **Deputy Paul Connaughton** asked the Minister for Health and Children if the Health Service Executive west intends to close the health centre in Aughrim, County Galway; if her attention has been drawn to the importance of this centre to the local community; and if she will make a statement on the matter. [22074/07]

Minister for Health and Children (Deputy Mary Harney): The Primary Care Strategy aims to increase health service capacity through the development of services in the community to give people direct access to integrated multi-disciplinary teams of occupational therapists, general practitioners, nurses, home helps, physiotherapists and others.

It has been estimated that up to 95% of people's health and social services needs can be properly met within a primary care setting and the establishment of new Primary Care Teams can contribute greatly to enhancing community based health services.

The provision of the appropriate infrastructure to facilitate the delivery of primary care services is being considered by the HSE, having regard to a number of factors. These include the type and configuration of the services involved, the mixed public/private nature of our health system, the suitability of existing infrastructure and the capital requirements of the health services generally over the coming years.

As the Health Service Executive has the operational and funding responsibility for Primary Care services, it is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Repayments Scheme.

178. **Deputy Frank Feighan** asked the Minister for Health and Children when it is envisaged that eligible patients entitled to refund as a result of illegal nursing home charges will have their claims settled; when relatives of deceased patients who were illegally charged nursing home fees will receive their refund; if the Health Service Executive retain interest of all repayments; the rate in relation to same; and if she will make a statement on the matter. [22077/07]

Minister for Health and Children (Deputy Mary Harney): The Health Service Executive (HSE) has responsibility for administering the health repayment scheme in conjunction with the appointed scheme administrator KPMG/McCann Fitzgerald.

The scheme is progressing as speedily as possible and every effort is being made to complete repayments. The HSE has indicated that the delays in making repayments under the scheme have been due to legal and technical issues. Firstly, over 13,400 estates who lodged claims to date had not extracted a grant of representation in respect of the estate of the deceased patient. In these instances the person entitled to extract the grant of representation has to be identified before an application can be processed and to date over 6,500 certificates of entitlement permitting individuals to apply for a repayment have issued.

Secondly, there has been a high incidence of claimants providing insufficient information and these claims have taken longer to process as the scheme administrator must be provided with certain information in order to ensure that the correct person and correct amount is repaid.

Thirdly, it has been necessary for the scheme administrator to visit over 330 HSE facilities to scan records which form the basis for the calculation of repayments. The format in which this information is held varies widely between institutions and usually includes a mixture of paper files, handwritten files and computer files.

Priority had been given to repaying living applicants as they were most immediately affected but repayments to estates have now commenced. A two year timeframe has been allotted to the Scheme and the HSE and the scheme administrator are confident that all claims submitted by the public, including those submitted by the relatives of deceased patients will be processed within that timeframe.

The total repayment amount will include both the actual charges paid and an amount to take account of inflation by reference to the Consumer Price Index since the time the person was wrongly charged.

Hospital Services.

179. **Deputy Finian McGrath** asked the Minister for Health and Children the position in relation to a project (details supplied) in Dublin 9. [22080/07]

Minister for Health and Children (Deputy Mary Harney): Beaumont Hospital is one of the eight cancer centres designated by the Health Service Executive last week. The decisions of the HSE in relation to four managed cancer control networks and eight cancer centres will be implemented on a managed and phased basis. The HSE plans to have completed 80-90% of the transition of services to the cancer centres by the end of 2009. In relation to the provision of radiation oncology services, the contract for the design consultants for the new facilities at Beaumont Hospital has commenced. The evaluation process for procurement of the supply contract is also under way and a technical subgroup is preparing the equipping specification for the phase 1 developments.

Health Services.

180. **Deputy Finian McGrath** asked the Minister for Health and Children if a pharmacy (details supplied) in Dublin 3 will be supported. [22081/07]

Minister for Health and Children (Deputy Mary Harney): The question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the specific matter investigated and to have a reply issued directly to the Deputy.

Registration of Dental Nurses.

181. **Deputy David Stanton** asked the Minister for Health and Children her plans to establish a statutory register for dental nurses; if so, the details; and if she will make a statement on the matter. [22109/07]

Minister for Health and Children (Deputy Mary Harney): The Dental Council is the statutory body responsible for the registration of dentists. Under Section 53 of the Dentists Act, 1985, the Council may establish schemes for the recognition of grades of auxiliary dental workers with the consent of the Minister for Health and Children.

The grade of dental nurse was created in 2001. The Council is responsible for maintaining the register of dental nurses and registration is voluntary. It would be a matter for the Council to submit an amendment to the dental nurse scheme if they consider it necessary.

On the 25th September last, I announced the research and development of a new National Oral Health Policy. This new oral health strategy will be undertaken by my Department in conjunction with the HSE. The development of the strategy will allow a critical examination of the many challenges and issues currently facing the dental sector in Ireland, including the provision of a revised regulatory regime culminating in a new Dentists Act. It is expected that the new National Oral Health Policy report will be available in Summer 2008.

Health Services.

182. **Deputy Bernard J. Durkan** asked the Minister for Health and Children her plans to extend or upgrade the scale of services available at the various health centres throughout County Kildare; her intended plan for the provision of extra accommodation or services; the degree of services available; her proposals for enhancement; and if she will make a statement on the matter. [22134/07]

Minister for Health and Children (Deputy Mary Harney): The Primary Care Strategy aims to increase health service capacity through the development of services in the community to give people direct access to integrated multi-disciplinary teams of occupational therapists, general practitioners, nurses, home helps, physiotherapists and others.

It has been estimated that up to 95% of people's health and social services needs can be properly met within a primary care setting and the establishment of new Primary Care Teams can contribute greatly to enhancing community based health services.

The provision of the appropriate infrastructure to facilitate the delivery of primary care services is being considered by the HSE, having regard to a number of factors. These include the type and

configuration of the services involved, the mixed public/private nature of our health system, the suitability of existing infrastructure and the capital requirements of the health services generally over the coming years.

As the Health Service Executive has the operational and funding responsibility for Primary Care services, it is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Question No. 183 answered with Question No. 157.

Ministerial Expenses.

184. **Deputy Leo Varadkar** asked the Minister for Transport and the Marine the amount of money paid in expenses to each Minister of State in his Government Department; the headings under which they were paid for each of the past five years; and if he will make a statement on the matter. [22016/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The Department of Transport paid the following expenses over the past five years to each Minister of State:

Mr Jim McDaid, T.D.

Year	Mileage	Foreign Travel	Home Travel	Official Entertainment
	€	€	€	€
2003	29,171	3,102	248	0
2004	18,430	1,300	0	252

Mr Ivor Callely, T.D.

Year	Mileage	Foreign Travel	Home Travel	Official Entertainment
	€	€	€	€
2004	12,753	243	0	
2005	34,430	1,221	6,904	

Mr Pat 'The Cope' Gallagher, T.D.

Year	Mileage	Foreign Travel	Home Travel	Official Entertainment
	€	€	€	€
2006	32,492	910	14,130	534
2007	11,260	0	3,268	793

In addition, monthly fixed payments of 1,014 euro, which are paid to every Minister of State, were also made.

School Transport.

185. **Deputy Olivia Mitchell** asked the Minister for Transport and the Marine his plans to extend the school bus system to urban areas in an effort to reduce urban congestion; and if he will make a statement on the matter. [22051/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The question of extending the school bus system to urban areas is but one measure to be considered in moving to more sustainable travel and transport in Ireland.

Commuting by private car is growing in Ireland and our economic success and growing population has contributed to the increase in transport demand. The Transport 21 investment programme is providing significant public transport benefits and it also includes proposals to manage travel demand.

To complement the investment in Transport 21, I am also committed to delivering a Sustainable Travel and Transport Action Plan which will consider all policies impacting on travel demand.

One such area relates to school travel. Figures from the 2006 Census indicates that the percentage of primary schoolchildren being driven to school by car has risen to 55% in 2006 compared to 27.7% in 1991. My aim is to address this pattern of travel along with others in the context of the proposed Action Plan.

I intend publishing the Plan in 2008 after a full public consultation process. The process will inform the precise measures to be adopted in meeting the challenge of managing our economic success so that, in so far as transport is concerned, the citizen's quality of life and the environment can also benefit.

Light Rail Project.

186. **Deputy Olivia Mitchell** asked the Minister for Transport and the Marine the reason for the ongoing delays in the commencement of the LUAS line to join the two existing lines; if he will intervene to ensure a speedy decision on the precise route; and if he will make a statement on the matter. [22052/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The Board of the RPA decided earlier this year on a preferred route option for the cross-city Luas line. Following extensive consultation with key stakeholders and the public, the RPA are now planning detailed design work on the project based on this option. Dublin City Council are undertaking a traffic modelling exercise as part of their examination of revised traffic management arrangements in the city, which will be required not only for the delivery of the cross-city Luas line but also Metro North.

In this context, the RPA is also considering ways of streamlining and combining works on the cross-city Luas Line and the construction of

Metro North in order to minimise disruption to the City Centre.

Following completion of design work, consideration of combining work on both projects, and subject to a satisfactory outcome to the city centre traffic management planning work, the RPA will submit a Railway Order application to An Bord Pleanála. The construction timescale will be dependent on the outcome of this statutory approval process.

187. **Deputy Olivia Mitchell** asked the Minister for Transport and the Marine if the feasibility study for the Rathfarnham LUAS which was promised for commencement in April 2007 is complete; the results of the feasibility study; and if he will make a statement on the matter. [22053/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): Transport 21 includes funding for feasibility studies on those elements of the strategy "A Platform for Change" which are not included in Transport 21. Work is currently under way on the feasibility study for the Rathfarnham Luas and I understand from the RPA that this study will take a number of months to complete.

While Transport 21 involves a very large commitment of financial resources, those resources are also finite and it has therefore been necessary to prioritise the investments to be made over the period of the programme up to 2015. There is no financial provision in Transport 21 for the construction of a Luas line to serve the Rathfarnham area.

Company Takeovers.

188. **Deputy Olivia Mitchell** asked the Minister for Transport and the Marine his views on whether the State shareholding in Aer Lingus can prevent a takeover by airlines other than one seen as the main competitor by the European Commission; and if he will make a statement on the matter. [22054/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): Mergers and takeovers are subject to regulatory constraints that are intended to ensure that competition is not reduced to the detriment of consumers. In cases where the turnover of the combined businesses would exceed specified thresholds the proposed merger must be notified to the European Commission for consideration in accordance with the EC Merger Regulation (Council Regulation No. 139/2004 on the control of concentrations between undertakings). Proposed mergers that do not exceed the prescribed thresholds may be reviewed by national competition authorities. It follows that it is not only a proposed merger of principal competitors that may lead to consequences under applicable regulatory requirements although that is the instance that is likely

[Deputy Noel Dempsey.]

to give rise to the most significant competition issues.

Apart from the requirement to obtain regulatory clearance, any entity seeking to effect a takeover of Aer Lingus would have to acquire over 50% of the shares. Where the State's shareholding of 25.4% is not available for purchase, this raises the significant practical difficulty of acquiring over two-thirds of the remaining shares in the Company. The task becomes more difficult and potentially impossible if other significant shareholders declare an unwillingness to sell.

A further consideration for any prospective acquiring entity is that even if it were possible to purchase a majority share but without the possibility of 100% of the shares being acquired, Aer Lingus would have to continue to operate on an independent financial basis and the rights of remaining minority shareholders would have to be respected. The acquiring entity could not integrate the Aer Lingus business operationally with another business nor extract its assets including cash. In effect therefore, the State's retained shareholding of 25.4% of Aer Lingus provides a significant disincentive to hostile takeover attempts.

Aviation Policy.

189. **Deputy Olivia Mitchell** asked the Minister for Transport and the Marine his views on whether an aviation policy for Ireland must encourage attracting a range of airlines rather than continued dependence on one or two providers; and if he will make a statement on the matter. [22055/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The Government's aviation strategy is to promote the development of as wide a range as possible of competitive international air services to and from Ireland to underpin our economic growth and competitiveness. We need to have regular, safe, cost-effective and competitive air services linking the country to key business and tourism markets around the world. To this end, within the European Union, Ireland has consistently supported market liberalisation measures, which have served as the platform for the rapid expansion of aviation generally. We have also promoted liberalisation on a wider basis most recently in pressing for the conclusion of the EU-US Open Skies agreement and in concluding a more liberal agreement on a bilateral basis with Canada.

I should add that our approach to the encouragement of air services is complemented by our policy on the development of airport infrastructure within the country. The main objective is to ensure that the three State Airports have sufficient capacity to respond to the growth

opportunities of a competitive airline sector and to provide vital international access. In addition the six regional airports have a key role to play in promoting regional development.

Air Services.

190. **Deputy Olivia Mitchell** asked the Minister for Transport and the Marine the progress made in attracting alternative airlines to fly the Shannon to Heathrow route or to fly Shannon to other European hubs; and if he will make a statement on the matter. [22056/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The business of attracting alternative airlines to fly the Shannon to Heathrow route or to fly to other European hubs is primarily a matter for the Shannon Airport Authority. Since the announcement by Aer Lingus of its decision to withdraw from the Shannon Heathrow route the Shannon Airport Authority has been actively engaging with airlines with a view to securing new services that would redress the reduction in connectivity that will follow from withdrawal of the Aer Lingus service. With a view to promoting the development of new services the airport has recently published a European Hub Airport Incentive Scheme for services to come into operation in 2008.

The Airport Authority has specifically identified airline services to the key European Hub airports of London-Heathrow (LHR), Paris (CDG), Amsterdam (AMS) and Frankfurt Main (FRA) as being of key strategic importance to its ongoing development. The Scheme also provides for significant discounts in airport charges and for the possibility of marketing support to be provided by Shannon Airport for new services.

Road Network.

191. **Deputy Olivia Mitchell** asked the Minister for Transport and the Marine the position in relation to planning for the outer ring road; the role envisaged for such a motorway and its priority vis-a-vis the construction of the eastern bypass to complete the M50 circle around Dublin; his views on both of these routes; and if he will make a statement on the matter. [22057/07]

Minister for Transport and the Marine (Deputy Noel Dempsey): The two major road proposals referred to by the Deputy were included in the launch of Transport 21 as subjects for further feasibility study. My Department has received a report from the National Roads Authority in respect of the outer orbital route and is expecting a report on the Eastern Bypass in the near future. I will study these reports and draw them to the attention of my cabinet colleagues in due course.

Ministerial Expenses.

192. **Deputy Leo Varadkar** asked the Minister for Foreign Affairs the amount of money paid in expenses to each Minister of State in his Government Department; the headings under which they

were paid for each of the past five years; and if he will make a statement on the matter. [22011/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): Listed below are the details of the monies paid in expenses to each of the Ministers of State at my Department over the past five years.

Minister of State, Conor Lenihan T.D.

	2002	2003	2004	2005	2006	2007
€	€	€	€	€	€	€
Mileage				21,677	16,846	8,177
Subsistence			237	6,910	5,117	903
Total			237	28,587	21,963	9,080

Minister of State, Tom Kitt T.D.

	2002	2003	2004	2005	2006	2007
€	€	€	€	€	€	€
Mileage	9,605	11,445	25,159			
Subsistence	1,949	8,329	6,790			
Total	11,554	19,774	31,949			

Minister of State, Michael Kitt T.D.

	2002	2003	2004	2005	2006	2007
€	€	€	€	€	€	€
Mileage						7,900
Subsistence						433
Total						8,333

Minister of State, Noel Treacy T.D.

	2002	2003	2004	2005	2006	2007
€	€	€	€	€	€	€
Mileage			10,146	21,277	43,173	27,958
Subsistence			859	4,164	3,319	1,311
Other			11,005	25,441	46,492	29,269

Minister of State, Dick Roche T.D.

	2002	2003	2004	2005	2006	2007
€	€	€	€	€	€	€
Mileage *						3,884
Subsistence	1,330	11,276	8,539			194
Total	1,330	11,276	8,539			4,078

* Mileage expenses incurred by MOS Roche from 2002 — 2004 were a charge on the Department of the Taoiseach.

193. **Deputy Leo Varadkar** asked the Minister for Enterprise, Trade and Employment the amount of money paid in expenses to each Minister of State in his Government Department; the headings under which they were paid for each of the past five years; and if he will make a statement on the matter. [22008/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): Due to the fact that my Department changed its financial management system within the last five years, information on expenses paid prior to 2004 is archived. For this reason, it has not been possible, in the time available, for my officials to collate all of the information sought by the Deputy. However, I can assure the Deputy that the details are available and that my officials are continuing to assemble the data from the archived system. I will write to the Deputy shortly with the full information he has requested.

EU Directives.

194. **Deputy Joe Costello** asked the Minister for Enterprise, Trade and Employment if he will press the Council of Ministers to amend the EU Toy Safety Directive, 1988; if he will introduce domestic legislation to ensure that the manufacturers and importers of children's toys do not put unsafe products on the market; and if he will make a statement on the matter. [22139/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The European Communities (Safety of Toys) Regulations (S.I. No. 32 of 1990), which transposed Council Directive 88/378/EEC concerning the safety of toys, govern the marketing, classification and labelling of toys placed on the Irish market. These Regulations are enforced by the National Consumer Agency (NCA). Under these Regulations a toy may not be placed on the market unless it is safe, appropriately labelled and compliant with the essential safety requirements of the Directive. I understand that the European Commission intends to present a proposal for a revision of the Toy Safety Directive by the end of this year with a view to enhancing safety requirements for toys and improving the efficiency and enforcement of the Directive by national market surveillance authorities.

Ministerial Expenses.

195. **Deputy Leo Varadkar** asked the Minister for Arts, Sport and Tourism the amount of money paid in expenses to each Minister of State in his Government Department; the headings under which they were paid for each of the past five years; and if he will make a statement on the matter. [22003/07]

Minister for Arts, Sport and Tourism (Deputy Séamus Brennan): There has been no Minister of State appointed to my Department in the past five years.

196. **Deputy Leo Varadkar** asked the Minister for Social and Family Affairs the amount of money paid in expenses to each Minister of State in his Government Department; the headings under which they were paid for each of the past five years; and if he will make a statement on the matter. [22014/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): There has been no Minister of State formally assigned to my Department during the period in question. However, Minister of State Ms. Máire Hootor, who is Minister of State at the Department of Health and Children, with special responsibility for older people, areas of which fall within the remit of my Department. Remuneration is dealt with by the Department of Health and Children.

197. **Deputy Leo Varadkar** asked the Minister for Community, Rural and Gaeltacht Affairs the amount of money paid in expenses to each Minister of State in his Government Department; the headings under which they were paid for each of the past five years; and if he will make a statement on the matter. [22005/07]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): From June 2002 to June 2007, Mr. Noel Ahern, TD, then Minister of State with special responsibility for Drugs Strategy and Community Affairs, was paid expenses by my Department, all in relation to travel and subsistence, as follows: 2002 — nil; 2003 — €1,267.17; 2004 — nil; 2005 — €360.92; 2006 — €1661.70; 2007 — €12.46. Mr. Pat Carey TD, Minister of State with special responsibility for Drugs Strategy and Community Affairs since June 2007, has been paid a total of €448.13 in expenses to date by my Department, all in refund of telecommunications-related expenditure.

Departmental Investigations.

198. **Deputy Jim O'Keeffe** asked the Minister for Community, Rural and Gaeltacht Affairs the details of the mismanagement alleged in the running of Waterways Ireland arising out of which damages of €75,000 had to be paid to a former corporate services director who was sacked after lodging complaints regarding such alleged irregularities, malpractices and failures in governance of the organisation; and if he will make a statement on the matter. [22019/07]

Minister for Community, Rural and Gaeltacht Affairs (Deputy Éamon Ó Cuív): As I have previously stated on the record of the House, an

independent investigation was undertaken in 2005 into allegations by a senior manager in Waterways Ireland (“the complainant”) regarding issues of bullying and harassment and related matters (including allegations concerning some recruitment and promotion practices). My Department and the Department of Culture, Arts and Leisure in Northern Ireland issued a joint statement on 4 April 2005 regarding the findings of the investigators’ report, including actions to be taken arising from it. A copy of the joint statement was previously lodged in the Oireachtas Library and I am arranging for a copy to be forwarded separately to the Deputy.

A substantial number of detailed allegations were made and were thoroughly investigated. The clear outcome of the investigation — as set out in the Departments’ statement — was that the bulk of the allegations made by the complainant were not upheld. The agreed actions arising from the report of the investigators, including an action to address their sole recommendation in relation to a full independent review of the practices and policies relating to bullying in Waterways Ireland, have been delivered on by the CEO of Waterways Ireland to the satisfaction of the two Departments.

Waterways Ireland has informed me that, contrary to the reference in the Deputy’s Question, the complainant was not sacked. I understand from the Body that, subsequent to the investigation, his secondment to Waterways Ireland came to an end and an offer to him of employment as Director of Corporate Services was withdrawn. He then brought a case to the Industrial Tribunal in Northern Ireland alleging that he had suffered loss arising from the complaints he had raised.

I understand that, prior to the case being heard in recent days, the complainant’s legal team sought a settlement from Waterways Ireland and that, following negotiations, a figure of £50,000 STG was agreed in full and final settlement of the tribunal case, without any admission of liability. I am informed that Waterways Ireland’s Senior Counsel advised that the settlement was cost effective and represented value for money, having regard, *inter alia*, to the fact that, had the case proceeded, the costs that would have been incurred by Waterways Ireland in defending it (irrespective of the outcome) would have been substantially higher than any likely settlement figure.

I want to take the opportunity once again to place on the record my support for Waterways Ireland’s ongoing work of developing and promoting the inland waterways network on this island. I commend Waterways Ireland’s CEO and senior management team for its progressive approach to identifying the issues facing staff in a cross-border context, bringing together existing

and new staff from different backgrounds and cultures and putting in place a positive action plan to take the organisation forward.

Grant Payments.

199. **Deputy Bernard Allen** asked the Minister for Community, Rural and Gaeltacht Affairs the reasons Pobal will only pay grants awarded under DAF in instalments to a group (details supplied); the reason they are not allowed draw down the balance of the DAF grant in full; and the reason the organisation is being subjected to difficult bureaucratic procedures in relation to the grant. [22021/07]

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy Pat Carey): The organisation in question was approved by Government for a capital grant of €90,000 under the Dormant Accounts RAPID Additionality measure in June 2006. My Department engaged Pobal to administer this measure on its behalf. Due to a delay on the part of the organisation concerned in confirming project costs, Pobal visited the organisation in April 2007 to assist them with fulfilling outstanding requirements. Following that visit the group returned a completed contract on 22 June 2007 and an initial payment of €27,000 issued on 6 July 2007. In line with standard procedure with regard to such grants, the payment terms include conditional phased payments of the grant sum. The group subsequently requested a second phase payment on 19 September 2007 to cover certain payments made. In this regard I am advised that Pobal have raised queries with the group in relation to these payments.

I would like to assure the Deputy that I am anxious at all times to ensure that funding draw-down in respect of approved grants under the auspices of my Department is effected in a timely manner, subject to adherence in all cases to agreed financial procedures and guidelines.

Tree Felling.

200. **Deputy Terence Flanagan** asked the Minister for Agriculture, Fisheries and Food if she will provide a full response to questions (details supplied); and if she will make a statement on the matter. [21944/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): As outlined in a previous reply, testing for fireblight was carried out by my Department in the Fingal area and following positive results for fireblight trees were removed and destroyed. Host trees in the same stand were also removed to prevent further spread of the disease. The following trees tested positive for Fireblight in Verbena and Bayside this year.

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Location	Tree Species	Date Samples Taken
Bayside Boulevard North	<i>Crataegus monogyna</i>	13-8-2007
Bayside Boulevard North	<i>Sorbus aria</i>	13-8-2007
Bayside Boulevard North	<i>Crataegus monogyna</i>	13-8-2007
Verbena Avenue	<i>Sorbus aria</i>	13-8-2007
Verbena Avenue	<i>Sorbus aria</i>	13-8-2007
Verbena Avenue	<i>Sorbus aria</i>	13-8-2007
Verbena Avenue	<i>Sorbus aria</i>	8-8-2007
Verbena Avenue	<i>Sorbus aria</i>	8-8-2007
Verbena Avenue	<i>Sorbus aucuparia</i> 'Joseph Rock'	17-8-2007
Bayside Walk	<i>Sorbus aria</i>	23-8-2007

Ministerial Expenses.

201. **Deputy Leo Varadkar** asked the Minister for Agriculture, Fisheries and Food the amount of money paid in expenses to each Minister of State in her Government Department; the headings under which they were paid for each of the

past five years; and if she will make a statement on the matter. [22002/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The amount paid for travel, subsistence and miscellaneous expenses to each Minister of State in my Department for each of the past five years is set out as follows.

	2003	2004	2005	2006	2007
	€	€	€	€	€
Noel Treacy	35,353	30,297			
John Brown		8,033	40,547	10,824	
Brendan Smith		6,109	30,959	39,791	22,252
Mary Wallace				26,193	36,431
Liam Aylward	38,582	44,064			

Animal Welfare.

202. **Deputy Michael Ring** asked the Minister for Agriculture, Fisheries and Food the animal welfare available in each county; and the protection in place for animals. [22035/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): My Department has statutory responsibility for the welfare and protection of farmed animals under the Protection of Animals Kept for Farming Purposes Act 1984, and the European Communities (Protection of Animals Kept for Farming Purposes) Regulations 2006. There is also specific legislation in place in relation to pigs, calves and laying hens. The legislation is enforced in each county by officers based in my Department's District Veterinary Offices. Funding is available to deal with emergency care, feeding, transport etc. of welfare compromised farm animals.

The Farm Animal Welfare Advisory Council which promotes and addresses issues of animal welfare in a practical manner developed an Early Warning Intervention System (EWS) in 2004 to deal with animal welfare cases. This involves my Department, the Irish Farmers' Association and

the Irish Society for the Prevention of Cruelty of Animals working in unison in providing a framework within which farm animal welfare problems can be identified in each county before they become critical or overwhelming. The new system allows for concerned individuals to approach their local IFA representatives, their local SPCA or my Department in the knowledge that the matter will thereafter be dealt with an effective and sensitive manner.

In addition to the foregoing, my Department makes *ex gratia* payments annually to organisations based around the country directly involved in the provision of animal care and welfare services, to assist in their on-going work. To date, a total of €7.2m has been paid to such bodies, some €1.24 million of which was paid to organisations in December last to assist them during 2007. A provision of €1.3 million for this purpose is included in my Department's Estimates for 2007.

Grant Payments.

203. **Deputy Billy Timmins** asked the Minister for Agriculture, Fisheries and Food the position in relation to grant applications (details supplied);

if approval can be given for this application. [22036/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The grant application referred to was submitted under the Forestry Development Call for Proposals 2007. A large number of high quality applications were received under this year's Call. The applications have been examined and final decisions on the projects to be funded will issue this week. Each applicant will be notified in writing of the decision made.

204. **Deputy David Stanton** asked the Minister for Agriculture, Fisheries and Food the number of applications received by her Department under the farm improvement scheme; when she expects all of these applications to be fully processed; the number of applications processed to date; and if she will make a statement on the matter. [22114/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): 3,467 applications for grant-aid have been received under the Farm Improvement Scheme since its introduction on 12 July 2007. To date, 268 approvals have issued to farmers to commence work under the Scheme. As farmers can submit applications prior to the receipt of full and final planning permission, it is not possible to state when approval can issue in all cases.

Departmental Statistics.

205. **Deputy Shane McEntee** asked the Minister for Education and Science the number of national schools by county and the number of second level schools by county. [21942/07]

Minister for Education and Science (Deputy Mary Hanafin): The information requested by the Deputy in relation to the number of national and post-primary schools per county is as follows.

Table 2.17 — National Schools By County 2006/07

	Special Classes in Ordinary Schools	Ordinary Schools	Special Schools
	No. Schools		
Carlow	6	40	1
Cavan	6	78	1
Clare	17	117	2
Cork City	19	53	8
Cork County	39	298	5
Donegal	13	176	2
Dublin City	81	192	32
Dun Laoghaire/Rathdown	14	59	7
Fingal	31	81	6
Galway City	13	22	4
Galway County	25	211	
Kerry	19	140	3
Kildare	22	97	4
Kilkenny	5	76	4
Laois	12	65	2
Leitrim	4	41	
Limerick City	14	30	4
Limerick County	15	112	2
Longford	13	40	1
Louth	20	70	3
Mayo	19	176	4
Meath	12	109	2
Monaghan	5	63	1
Offaly	14	68	1
Roscommon	8	93	1
Sligo	9	69	2
South Dublin	45	90	6
Tipperary N.R.	14	74	1
Tipperary S.R.	12	87	3

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	Special Classes in Ordinary Schools	Ordinary Schools	Special Schools
	No. Schools		
Waterford City	10	19	2
Waterford County	4	54	1
Westmeath	12	74	3
Wexford	22	103	2
Wicklow	15	83	4
Total	589	3160	124

Table 1 : Number of Schools Providing Second Level (General) Courses 2006/2007

County	Secondary	Vocational	Comprehensive	Community	Total
Carlow	5	5	0	1	11
Cavan	4	5	1	1	11
Clare	8	7	1	2	18
Cork County	30	21	1	7	59
Cork County Borough	18	6	1	3	28
Donegal	4	14	2	6	26
Dublin County Borough	55	22	2	3	82
Dublin Fingal	13	7	0	6	26
Dublin South	21	12	0	8	41
Dun Laoghaire/Rathdown	24	6	1	4	35
Galway County	19	11	1	6	37
Galway County Borough	7	3	0	0	10
Kerry	16	8	1	2	27
Kildare	15	10	0	3	28
Kilkenny	7	7	0	1	15
Laois	5	4	0	2	11
Leitrim	2	5	1	1	9
Limerick County	9	9	1	1	20
Limerick County Borough	11	3	0	1	15
Longford	4	4	0	1	9
Louth	11	5	0	1	17
Mayo	17	8	0	3	28
Meath	6	8	0	4	18
Monaghan	6	6	0	0	12
Offaly	5	5	0	2	12
Roscommon	4	3	0	1	8
Sligo	7	7	0	1	15
Tipperary N.R.	10	6	0	0	16
Tipperary S.R.	9	5	0	1	15
Waterford City	5	3	0	1	9
Waterford County Borough	7	2	0	0	9
Westmeath	10	4	0	1	15
Wexford	11	7	0	2	20
Wicklow	9	10	1	1	21
Total	394	248	14	77	733

Schools Building Projects.206. **Deputy Ulick Burke** asked the Minister

for Education and Science the progress made for the construction of a new primary school at a school (details supplied) in County Galway; the

result of the site visitation listed for earlier in 2007; and the time scale for the completion of the project. [21957/07]

Minister for Education and Science (Deputy Mary Hanafin): The Department has visited this school and following on from this visit, the Patron has confirmed the availability of additional lands for a school building project. This project is being considered in the context of the School Building and Modernisation Programme.

207. **Deputy Ulick Burke** asked the Minister for Education and Science the progress made in the provision of the new second level school to replace a school (details supplied) in County Galway in view of the concessions made by the trustees of the college, by an intake of first year students at the college in 2007; if she has had the proposed sites identified in Kinvara assessed as to their suitability; and if she will make a statement on the matter. [21958/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Earlier this year, I announced the provision of a new second level school for the Kinvara area. This decision was and remains predicated on the Mercy Order as Trustees of Seamount College accepting first year students each year until the end of the 2011/2012 school year. The Deputy will appreciate that planning for a new school involves a number of processes which can take some time to complete most notably:

- the acquisition of a suitable site,
- the design of a building,
- the grant of planning permission,
- the seeking of tenders and construction.

Many of these factors are outside the direct control of the Department.

Sile de Valera	2002	2003	2004	2005	2006	2007
	€	€	€	€	€	€
Travel						
Subs	297.00	1,622.95	602.67	4,594.59	651.97	0.00
Total	297.00	1,622.95	602.67	4,594.59	651.97	0.00
OVERALL TOTAL	7,769.18					

College Appointments.

210. **Deputy Jim O'Keeffe** asked the Minister for Education and Science the details of the perceived irregularities in appointment procedures which are being examined by the Commission for Public Service Appointments at the six third level

At present, the Commission on School Accommodation is continuing its work on the identification of accommodation needs in the South Galway area, including the position relating to provision in Kinvara. Further progression of a new second level school to serve the area will be developed having regard to the factors as set out above.

School Accommodation.

208. **Deputy Ulick Burke** asked the Minister for Education and Science if she will provide funding for the extension to a school (details supplied) in County Galway; and when she envisages work will commence on this project. [21959/07]

Minister for Education and Science (Deputy Mary Hanafin): My Department has received an application for capital funding from the school in question. This has been assessed and schedules of accommodation to meet the current and long term accommodation needs of the school have been drawn up.

The further progression of this project will be considered in the context of the School Building and Modernisation Programme.

Ministerial Expenses.

209. **Deputy Leo Varadkar** asked the Minister for Education and Science the amount of money paid in expenses to each Minister of State in her Government Department; the headings under which they were paid for each of the past five years; and if she will make a statement on the matter. [22007/07]

Minister for Education and Science (Deputy Mary Hanafin): The information sought by the Deputy is as detailed in the table below.

The only Ministers of State that were paid expenses within the last five years were Minister of State Sile De Valera and Minister of State Sean Haughey.

colleges; and if she will make a statement on the matter. [22020/07]

Minister for Education and Science (Deputy Mary Hanafin): I am aware that it is the policy of Institutes of Technology to conduct recruitment and selection of staff through a transparent competitive process to ensure that the highest quality

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staff are appointed at all times. In late 2005, the Institute Directors established a group to review procedures and agreed to ask the Public Appointments Service to assist in the project. It was agreed also that a steering group to include representation of the trade unions would be established and this has been done. Six institutes were selected for study on the basis of geographical spread and size etc and, at no stage, were the institutes considered to have perceived irregularities. I am aware that the TUI and the Institutes of Technology have responded to a newspaper article on this issue and that the responses have been published.

Schools Building Projects.

211. **Deputy Ruairí Quinn** asked the Minister for Education and Science her views on whether the promised investment of €4.5 billion in providing new schools and improving existing ones will be sufficient to meet the anticipated demand of 100,000 additional school places; and if she will make a statement on the matter. [22037/07]

Minister for Education and Science (Deputy Mary Hanafin): I am confident that the funding of €4.5 billion to be provided under the new National Development Plan (NDP) for investment in school building infrastructure will be adequate to meet my Department's needs over the lifetime of the Plan. This will be the largest investment programme in schools in the history of the State and will enable my Department to ensure that school places are available where needed as well as continuing to upgrade existing school facilities. This investment will allow my Department to continue the acceleration of the school building programme which commenced during the lifetime of the last NDP when well over €2.6 billion was invested on school development, delivering over 7,800 projects.

The budget for 2007 is the first year of the rollout of the new NDP. This funding will enable my Department to continue to take a proactive approach to the provision of modern school accommodation particularly in developing areas. This year alone around over €540 million will be spent on school building infrastructure with over 1,500 projects on my Department's school building programme. Construction in 2007 alone will deliver over 700 classrooms to provide permanent accommodation for over 17,500 pupils, mainly in developing areas.

Innovations in the delivery of school buildings such as Generic Repeat Designs and the use of the Design and Build model ensure that new school buildings are delivered in the fastest time-frame possible. My Department has also adopted a policy of devolving much greater authority to local school management boards to manage and

deliver smaller building projects, thereby freeing my Department to concentrate on the larger scale projects. My Department has also improved forward planning through greater cooperation between the Department of Education and Local Authorities and the publication of 10-year Area Development Plans.

The main focus of the school building programme is to deliver additional capacity in the rapidly developing areas. It is projected that 100,000 additional school places will be required over the next number of years. I am conscious of the need to provide more school places quickly and these are being delivered.

Computerisation Programme.

212. **Deputy Ruairí Quinn** asked the Minister for Education and Science when schools can anticipate funding from the National Development Plan in respect of schools information communications technology in view of the substantial under-investment by her Department in this area for many years; and if she will make a statement on the matter. [22038/07]

Minister for Education and Science (Deputy Mary Hanafin): The ICT in Schools Programme commenced in 1998 and aims to provide all pupils with the opportunity to achieve computer literacy and acquire the necessary skills for participation in the Information Society. There has been significant investment over the period in providing computers to schools, professional development ICT courses for teachers, improving the availability of digital content, integrating ICT into the curriculum and in supporting schools to integrate ICT into their teaching and learning. The recent priorities under the Programme have been the development of schools' internal networking facilities and the provision of broadband connectivity for schools, which my Department has pursued in partnership with the Telecommunications and Internet Federation within IBEC.

There has been considerable progress since the Programme commenced. The number of computers in schools has increased substantially. In this regard, the latest available Census undertaken by the NCTE in 2005, found that at primary level, there was one computer for every 9 children, while at post-primary level, there was one computer for every 7 students. Schools have been grant-aided to develop their internal networking facilities and broadband connectivity has been provided to schools via a National Broadband Network. Over 130,000 training places have been provided for teachers to improve their ICT skills and assist them to integrate ICT into their teaching practice, while ICT has been included within the pre-service training provided by our teaching training providers. Scoilnet has been developed as a comprehensive resource for teachers and

students and a range of relevant digital content has been created specifically to complement the curriculum. Schools have been supported to plan for the integration of ICT into their teaching and learning by the National Centre for Technology in Education and the ICT Advisory Service.

The National Council for Curriculum and Assessment has developed a draft ICT Framework as a practical tool to support teachers in planning and providing opportunities for students to develop their ICT literacy across the curriculum from primary to the end of compulsory education. New syllabi have been developed for the four technology subjects at Leaving Certificate level, in which ICT is a compulsory integral part of both curriculum and assessment. Two of these, Technology and Design and Communications Graphics, which involve the use of Computer Aided Design have now been introduced and will be examined in June 2009. A new Technology Subjects Support Service has been established and schools' have been funded to upgrade their facilities.

The Programme for Government sets out our commitment to implementing a comprehensive Schools' ICT Strategy. This strategy will be underpinned by the investment of €252m in the National Development Plan 2007-2013.

I appointed a Strategy Planning Group to advise me on the prioritisation of measures under the planned investment over the period of the NDP. Among the issues which the new strategy will address are the upgrading and renewal of hardware, the provision of software and digital content for learning, teacher professional development, curriculum development, the maintenance of the national broadband network for schools and technical maintenance and support requirements. I expect to receive the Strategy Planning Group's recommendations shortly.

Communications Masts.

213. **Deputy Ruairí Quinn** asked the Minister for Education and Science her plans to ensure that mobile phone masts are not located in the vicinity of schools; and if she will make a statement on the matter. [22039/07]

Minister for Education and Science (Deputy Mary Hanafin): The Deputy will be aware that the drafting of Planning and Development Regulations relating to mobile phone masts is a matter for the Minister for Environment, Heritage and Local Government. The erection of such masts is subject to normal planning regulations which are administered by the relevant Local Authority. I am aware that the Department of Environment, Heritage and Local Government issued guidelines on electrocommunications Antennae and Support Structures to Planning Authorities in 1996 and that these guidelines are still in place.

In 2005 the Oireachtas Joint Committee on Communications, Marine and Natural Resources issued a report titled "Report on non-ionising radiation from mobile phone handsets and masts". On foot of the recommendations of the report that Department established an inter-departmental committee to examine the health effects, if any, of non-ionising radiation. I understand that this committee in their report concluded that no adverse short or long-term health effects have been found from exposure to the radio frequency signals produced by mobile phones and base station transmitters.

School Staffing.

214. **Deputy Ruairí Quinn** asked the Minister for Education and Science if her attention has been drawn to the difficulties experienced by schools in obtaining the services of school secretaries or school caretakers due to the low level of Government funding for these services; and if she will make a statement on the matter.

[22040/07]

Minister for Education and Science (Deputy Mary Hanafin): My Department provides funding towards the cost of secretarial and caretaking services in primary schools under two separate schemes. One scheme is the 1978/79 scheme for the employment of full-time secretaries and caretakers in primary schools, under which my Department meets the full cost of salary. This scheme is being phased out as posts become vacant and no new posts are being created. This scheme has been superseded by a more extensive grant scheme now referred to as the Ancillary Services grant.

The Ancillary Services grant scheme is flexible in nature, giving Boards of Management discretion as to the manner in which secretarial services are provided. The grants paid are not directly linked to any objective pay scales. The level and extent of services provided is a matter for the school authorities who, through the discretion afforded by the scheme, apply diverse arrangements for secretarial services as resources permit. As the secretaries and caretakers are employees of individual schools, my Department does not have any role in determining the pay and conditions under which they are engaged. These are matters to be agreed between the staff concerned and the school authorities.

There have been significant improvements in the level of funding provided to primary schools in recent years. Since 1997 the standard rate of the Ancillary Services grant has increased from €38.09 per pupil to €145.50 per pupil at present. The level of capitation grant at primary level has increased from €57.14 to €163.58 per pupil in the same period. The amount of grant paid to an indi-

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vidual school is determined by the enrolment in the school.

The Department is not aware that schools are experiencing difficulties in recruiting ancillary staff under the current arrangements.

This Government has shown a strong commitment to improving primary school funding in recent years and I will continue to prioritise this area in the context of available resources.

In-Service Training.

215. **Deputy Ruairí Quinn** asked the Minister for Education and Science her plans to ensure that all teachers receive access to in-service education in key areas such as child protection, English as an additional language and special education in view of the fact that all teachers have responsibilities in these areas; and if she will make a statement on the matter. [22041/07]

Minister for Education and Science (Deputy Mary Hanafin): I would like to thank the Deputy for the opportunity to outline my Department's proposals in relation to in service training in key areas such as child protection, English as an additional language and special education.

The Child Abuse Prevention Programme (CAPP) and the Social Personal and Health Education (SPHE) support services have responsibility for child protection training at primary and post primary level respectively. My Department has now been able to identify the schools where there is a deficiency in training and the respective support services have been requested to target these schools in their training. In addition to these schools training will also be targeted at new appointees who have responsibility as Designated Liaison Person or Deputy Designated Liaison Person under the Child Protection Guidelines.

The provision of continuous professional development for language support teachers is a key issue for my Department and to this end officials in my Department have prepared a detailed proposal in relation to developing continuous professional development opportunities for teachers to assist them in meeting the needs of newcomer pupils. This proposal is currently under consideration.

In the interim my Department will continue to provide continuous professional development opportunities for language support teachers through Integrate Ireland Language and Training (IILT) and summer/online courses. Details of further supports available to teachers and advice in relation to meeting the needs of newcomer pupils are detailed in the recent Department Circular 0053/2007.

In the area of Special Educational Needs my Department currently funds the provision of a post-graduate Diploma in Special Educational

Needs and Learning Support through seven colleges/universities. This is available to teachers at primary and post-primary level. My Department also funds a Graduate Certificate in the Education of Pupils with Autistic Spectrum Disorders (ASD) and Masters in Special Educational Needs (MSEN).

In addition, my Department funds an online certificate and Diploma in Special Educational Needs through St Patrick's College in Drumcondra, jointly with the Institute of Child Education and Psychology Europe. My Department also provides summer courses to train teachers in a wide variety of special educational needs. Continuing professional development and support is provided through the Special Education Support Service (SESS). The SESS has provided training for professional development of over 15000 teachers in areas such as Autistic Spectrum Disorder, Dyslexia and challenging behaviour. They have also provided targeted support for post-primary schools. Funding is also provided through the SESS for online training in Managing Student Behaviour, Inclusion, Dyslexia, Understanding Autism, ADHD, Applied Behaviour Analysis, Gifted and Talented Students and Teaching Troubled Children. These online courses are run by the Institute of Child Education and Psychology Europe. SESS provide a Local Initiatives Scheme which involves provision of professional development and support at individual teacher, school and/or group level, as identified by the individual teacher, school and/or group, across all areas of Special Education. Funding was provided for a range of courses including PECS, TEACCH, Sensory Integration, Asperger's Syndrome, Lámh, Floor Time, and Challenging Behaviour.

The provision of further training opportunities for teachers in the area of special education is also being considered by the Department in the context of the implementation of the Education for Persons with Special Educational Needs act.

School Accommodation.

216. **Deputy Ruairí Quinn** asked the Minister for Education and Science if the accommodation needs study for post-primary education in the Kilkenny area has been completed; and when its results will be made known to local providers in the area. [22042/07]

Minister for Education and Science (Deputy Mary Hanafin): The School Planning Section of the Department is currently reviewing the accommodation needs for the foreseeable future for Kilkenny City and its Environs. Local schools will be advised should the outcome identify issues relevant to them.

Languages Programme.

217. **Deputy Ruairí Quinn** asked the Minister for Education and Science when all textbooks relevant to the revised primary curriculum in primary schools will be available in the Irish language for the use of all Gaeltacht schools and Gaelscoileanna; and if she will give an undertaking that in future all companies will be required to publish textbooks simultaneously in both national languages. [22044/07]

Minister for Education and Science (Deputy Mary Hanafin): Apart from a small number of prescribed texts at post-primary level, mainly in the case of language subjects, decisions on which textbooks/resource materials to use in primary and post-primary schools are taken at school level.

Significant improvements are being made in regard to the provision of suitable high quality textbooks and teaching materials specifically for use in Gaeltacht schools and Gaelscoileanna through the work of an Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta. In 2006, my Department allocated €831,000 to An Chomhairle of which €400,000 was specifically designated for the provision of textbooks and other resources to support teaching and learning.

My Department also provided funding to An Chomhairle in 2006 for the acquisition by An Chomhairle of a Mobile Library to bring the full range of resources for teaching through Irish to all Gaeltacht and all-Irish schools. A full range of teaching resources (1 per subject) is now available for primary Gaeltacht and all-Irish schools.

In addition some €1m per annum is being invested under Scéim na nDearthóirí in a new set of materials for Gaeilge in Gaeltacht and Gaelscoileanna known as Séideán Sí for infant, senior infant, first class, second class and third class pupils. The packs include a teacher's handbook, books, posters, picture cards, compact discs, puppets and card games. This investment will continue until a complete set of resources for the 8 year cycle is available.

An Chomhairle works closely with An Gúm, Scéim na nDearthóirí and other agencies, including publishers, to address the deficit in Irish medium resources and materials. It has published an extensive resource directory on its website www.cogg.ie on materials and resources now available to support the teaching of Irish in the curriculum, and the teaching of other subjects through Irish, across primary and post-primary schools.

In-service Training.

218. **Deputy Ruairí Quinn** asked the Minister for Education and Science when in-service training will be provided for language teachers cater-

ing for newcomer children in primary schools. [22045/07]

Minister for Education and Science (Deputy Mary Hanafin): My Department provides funding to Integrate Ireland Language Training (IILT) to provide Language Support Teachers with in-service training to assist them in meeting the English language needs of their pupils/students. Language assessment kits, based on best international practice are also to be provided to all primary schools during the 2007/08 school year. The kits will enable accurate initial and on-going assessment of language proficiency of newcomer children with a particular focus upon assessing whether language support needs to be provided beyond the current two year limit. My Department has also distributed a resource book ("Up and Away") for English Language Support Teachers to all primary schools which will serve as the basis for induction seminars for newly appointed Language Support Teachers. In addition, NCCA has published intercultural guidelines to support teachers and schools in developing a more inclusive learning environment and in providing students with knowledge and skills they need to participate in a multicultural world. A practical toolkit for schools has been also developed to facilitate capacity building for intercultural issues on a whole-school basis which will be targeted at mainstream classroom teachers. This will be distributed to schools in 2008.

Pupil-Teacher Ratio.

219. **Deputy Ruairí Quinn** asked the Minister for Education and Science if she is satisfied that the current and projected intake into the colleges of education will be sufficient to enable the Government to meet its published targets of reducing the staffing schedule in primary schools from a general rule of at least one teacher for every 27 pupils in 2007/2008 by one point a year to one for every 24 children by 2010/2011; and if she will make a statement on the matter. [22047/07]

Minister for Education and Science (Deputy Mary Hanafin): I am satisfied that my Department will take the necessary steps to enable the Government to meet its targets in relation to the reduction of the staffing schedule in primary schools. My Department will continue to monitor the situation in the context of the needs of the system generally and in the light of available resources going forward.

Grant Payments.

220. **Deputy Michael Ring** asked the Minister for Education and Science if she will increase the VTOS/Youthreach/STTC/BTEI childcare grant

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in view of the fact that the maximum grant payable per child under the scheme has not changed since it was introduced in 1998 and the figure that was available nine years ago is now unrealistic in view of the cost of living increases and childcare costs increasing in the intervening periods and that an increase in this grant would help more parents come out of the poverty trap; and if she will make a statement on the matter. [22050/07]

Minister of State at the Department of Education and Science (Deputy Seán Haughey):

Grants towards the cost of childcare are given to VECs, to be used to assist with the provision of childcare support for learners in the Vocational Training Opportunities Scheme, Youthreach, Senior Traveller Training Centres and in the Back to Education Initiative. The aim of this support is to attract people whose attendance is currently prevented by childcare responsibilities to enrol on these programmes. This grant provides for: direct provision of crèche facilities in centres, or in rented premises, including staff, equipment/refurbishment, rental, insurance and other overheads; purchase of places on existing community or commercial crèches. This is subject to payment of a maximum of €63.50 per week per child for a full-day session, with pro-rata adjustments for sessions of lesser duration; payment of childminders, subject to a maximum of €63.50 per child per week for a full session, with pro-rata adjustments for part-time sessions. This is subject to (a) registration where required under the Child Care Act, (b) presentation of invoices on headed paper, and (c) a rolling sample check for tax clearance certificates. The scheme does not provide for payment direct to learners. The Department's grant is intended as a contribution to costs. The provision for this grant in 2007 is €6,350,000.

Schools Recognition.

221. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Science the status of the application for recognition of a school (details supplied) in County Clare; the reason there has been a delay in issuing a decision in this case; her proposals in regard to this specific application which seeks to address the education rights of some 50 children; and if she will make a statement on the matter. [22069/07]

Minister for Education and Science (Deputy Mary Hanafin): The application for recognition from the school referred to by the Deputy is under active consideration within my Department. When a decision has been made the relevant authority will be informed.

School Transport.

222. **Deputy Finian McGrath** asked the Minister for Education and Science if school transport will be provided for a number of school children (details supplied) in County Leitrim. [22098/07]

Minister of State at the Department of Education and Science (Deputy Seán Haughey):

In general, to be eligible for school transport pupils must reside 3.2 kilometres or more from, and be attending, their nearest primary school. My Department's School Transport Section has forwarded the list of pupils, supplied by the Deputy, to Bus Éireann in order to determine their eligibility for school transport. My Department would advise the families concerned to liaise with the local Bus Éireann office regarding the outcome of their applications.

223. **Deputy Michael Ring** asked the Minister for Education and Science if transport will be provided for a student (details supplied) in County Mayo. [22112/07]

Minister of State at the Department of Education and Science (Deputy Seán Haughey):

Under the terms of the Primary School Transport Scheme, only eligible children qualify for free transport. In order to be eligible, children must live at least 3.2 kilometres from, and be attending their nearest national school. School transport for children with special educational needs is generally provided to the school nearest to the pupil's residence in which resources can or may have been allocated to support the child's educational needs. In view of the information supplied by the Deputy, my Department would advise the parents of the pupil concerned to liaise, in the first instance, with the local Special Education Needs Organiser. The question of school transport can then be considered.

Schools Building Projects.

224. **Deputy David Stanton** asked the Minister for Education and Science further to Parliamentary Question No. 1402 of 25 January 2006, if progress has been made in the provision of a new school building to accommodate the pupils and staff of a school (details supplied) in County Cork; and if she will make a statement on the matter. [22113/07]

Minister for Education and Science (Deputy Mary Hanafin): This project which has been approved to start architectural planning is being considered in the context of the School Building and Modernisation Programme.

Special Educational Needs.

225. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the action she

has taken in 2007 to improve the facilities, support and back-up services available to parents of children with autism with particular reference to the requirement of a co-ordinated one stop shop service to assist parents in identifying the full scale of requirements and making the necessary provisions; and if she will make a statement on the matter. [22117/07]

Minister for Education and Science (Deputy Mary Hanafin): As I advised the Deputy recently, my Department provides funding for the education of children with autism through the primary and post-primary school system, rather than any specific support services being provided for parents. Parents may contact their local Special Educational Needs Organiser (SENO) directly to discuss their child's special educational needs using the contact details available on www.ncse.ie. The Deputy is aware that the National Council for Special Education is responsible, through its network of local SENOs, for the establishment of special classes for autism and for allocating resource teachers and special needs assistants to schools to support children with special needs. All schools have the names and contact details of their local SENOs. The matter of diagnosis and therapy supports is an issue for the Health Service Executive.

Pupil-Teacher Ratio.

226. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the steps she has taken in 2007 to address the serious issue of classroom overcrowding; the number of schools wherein it can be clearly demonstrated that reasonable progress has been made in reducing pupil/teacher ratios in the classroom to a level comparable with best international practice; and if she will make a statement on the matter. [22118/07]

Minister for Education and Science (Deputy Mary Hanafin): As the Deputy will be aware, major improvements have been made in staffing at primary level in recent years. There are now 5,000 more primary teachers than there were in 2002. By the 2006/07 school year, we had reduced the average class size in our primary schools to 24, while the pupil teacher ratio was 16.4:1, including resource teachers etc. In that year, schools were staffed on the basis of a general rule of at least one classroom teacher for every 28 children. Given that the national average was 24, many schools benefited from much more favourable staffing ratios than this. Extra teachers were provided by the Government for the 2007/08 school year to improve primary school staffing so that schools would generally get at least one classroom teacher for every 27 children. While precise details of the number of schools involved are not

readily available, I can assure the Deputy that schools throughout the country benefited as a result of this initiative.

Posts allocated on the basis of the improved staffing schedule are specifically for mainstream classes and should be deployed accordingly. School authorities are requested to ensure that the number of pupils in any class is kept as low as possible, taking all relevant contextual factors into account (e.g. classroom accommodation, fluctuating enrolment). In particular, school authorities should ensure that there is an equitable distribution of pupils in mainstream classes and that the differential between the largest and smallest classes is kept to a minimum. A further initiative in recent years that has been of direct benefit to primary schools has been the change in the criteria for developing schools.

For the current school year the threshold for getting a developing school post was reduced specifically to help schools that are seeing large increases in enrolments each year. Over 350 such posts have been sanctioned in the 2007/08 school year compared to 280 in 2006/07. The improvements we have made in school staffing in recent years are absolutely unparalleled. The Government is committed to providing more teachers to our primary schools over the next five years. We will also continue our focus on measures to improve the quality of education in our primary schools to ensure that increased resources lead to better outcomes for our children.

Special Educational Needs.

227. **Deputy Bernard J. Durkan** asked the Minister for Education and Science her plans to improve the scale and quality of services available to children with special needs in mainstream education with particular reference to the need to ensure that all pupils have access to a good pupil/teacher ratio in the classroom; and if she will make a statement on the matter. [22119/07]

Minister for Education and Science (Deputy Mary Hanafin): The level of resources being made available by my Department to support students with special educational needs in mainstream education has grown significantly in recent years. This includes major improvements in staffing levels in primary schools. The Deputy will be aware that my Department implemented a new scheme for allocating learning support / resource teachers (LS/RTs) to schools to cater for the needs of children with high-incidence special educational needs such as dyslexia or mild learning difficulties in all primary schools in September 2005. The general allocation model was designed to ensure that each school has learning support/resource teaching support available to meet the needs of children with high incidence special needs. The scheme facilitates

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early intervention as the resource is in place in the school when the child enrolls.

Significant improvements have been made in the staffing of schools in recent years. By the 2006/07 school year, the average class size in primary schools has fallen to 24, while the pupil teacher ratio was 16.4:1, including resource teachers etc. At post-primary level, the pupil teacher ratio has fallen from 13.9:1 in the 2001/2002 school year to 13.2:1 in the 2005/2006 school year. A further significant development has been the establishment of the National Council for Special Education (NCSE) which has been in operation since 1 January 2005 with over 90 members of staff working exclusively in supporting students with special educational needs. The NCSE was established under the Education for Persons with Special Educational Needs Act (EPSEN) to improve the delivery of education services to persons with special educational needs arising from disabilities with particular emphasis on children. Since it was established in 2005, the NCSE has been responsible for allocating resources for children with special educational needs. The NCSE has a key role in the delivery of services and operates through a network of special educational needs organisers (SENOs) who act as a focal point of contact for schools and parents. SENOs are responsible for processing applications from schools for special needs supports and they convey decisions on the applications directly to the schools. These supports include resource teaching hours, special needs assistant (SNA) support and assistive technology and equipment.

At primary level, there are now over 6,000 teachers working directly with children with special educational needs, including those requiring learning support, compared with fewer than 1,500 in 1998. At post-primary level, over 2,450 whole-time equivalent teachers support special needs students compared with 200 in 1998. This includes 566 learning support teachers. Significant progress has been made in relation to increasing the number of SNAs in our schools who specifically cater for children with care needs. There are over 8,800 whole-time equivalent SNAs in primary and post-primary schools supporting the care needs of these students compared with approximately 300 in 1998.

As well as this increase in the numbers of additional teachers and SNAs directly providing appropriate education and care supports for children with special educational needs, much investment has taken place in the provision of transport, specialist school accommodation, home tuition, assistive technology and equipment. For example, more than €3 million was spent last year on specialised equipment and materials and nearly €50 million on school transport for special needs pupils. My Department will continue its

focus on measures to improve the quality of education in our schools to ensure that increased resources lead to better outcomes for our children. The Government is committed to providing more teachers to our schools over the next five years. The implementation of the Education for Persons with Special Educational Needs (EPSEN) Act will support the maximum possible integration of students with special educational needs while always allowing for individuals for whom integration with mainstream peers is not appropriate.

School Accommodation.

228. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the extent to which she has identified and addressed the issue of the poor quality and general standard of accommodation at a number of primary and post-primary schools throughout the country; her plans to address this issue in the near future; and if she will make a statement on the matter. [22120/07]

Minister for Education and Science (Deputy Mary Hanafin): I am satisfied that existing school infrastructure has been dramatically improved in recent years. During the period of the last National Development Plan 2000-2006 my Department accelerated the school building programme with record levels of investment and the streamlining of delivery systems. An aggregate total of well over €2.6 billion was invested in upgrading existing school infrastructure and providing new school accommodation at both first and second-level. This programme delivered over 7,800 building projects in addition to investment in site purchases; the annual minor works grant to all primary schools, science and technology initiatives, contingency works and grants for the purchase of furniture and equipment including improving equipment needed for new technologies and ICT.

Innovations in the delivery of school buildings such as Generic Repeat Designs and the use of the Design and Build model ensure that new school buildings are delivered in the fastest time-frame possible. My Department also adopted a policy of devolving much greater authority to local school management boards to manage and deliver smaller building projects, thereby freeing my Department to concentrate on the larger scale projects.

My Department has improved forward planning through greater cooperation between the Department of Education and Local Authorities and the publication of 10-year Area Development Plans.

The budget for 2007 is the first year of the roll out of the new NDP which will involve an investment of over €4.5 billion in school building infra-

structure over the coming years to ensure that school places are available where needed. This investment will be the largest in the history of the State and will enable my Department to continue to take a proactive approach to the provision of modern school accommodation particularly in developing areas and the upgrade of existing accommodation. This year alone around over €540 million will be spent on school building infrastructure with over 1,500 projects on my Department's school building programme. Construction in 2007 alone will deliver over 700 classrooms to provide permanent accommodation for over 17,500 pupils, mainly in developing areas.

The main focus of the school building programme is to deliver additional capacity in the rapidly developing areas. It is projected that 100,000 additional school places will be required over the coming years, with over 10,000 extra children entering our schools each year. I am conscious of the need to provide more school places quickly and these are being delivered.

229. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the position in regard to the full requirement in terms of accommodation and facilities at a school (details supplied) in County Kildare; her future plans in this regard; and if she will make a statement on the matter. [22121/07]

236. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the position in relation to an application for major capital funding by the management authority of a school (details supplied) in County Kildare; if she expects to be in a position to respond favourably to this request in the near future; the expected time frame for implementation of funding for this school; and if she will make a statement on the matter. [22128/07]

241. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the position in relation to an application for major capital funding for a school (details supplied) in County Kildare; and if she will make a statement on the matter. [22133/07]

Minister for Education and Science (Deputy Mary Hanafin): I propose to take Questions Nos. 229, 236 and 241 together.

I can confirm to the Deputy that the Department is in receipt of applications for large scale capital funding from the schools to which he refers. The projects have been assessed in accordance with the published prioritisation criteria for large scale building projects. Progress on the proposed works is being considered in the context of the multi-annual School Building and Modernisation programme.

Special Educational Needs.

230. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the extent to which speech and language therapy or psychological services are available throughout County Kildare with particular reference to the need to ensure quality services; her plans to meet these requirements as a matter of urgency; and if she will make a statement on the matter. [22122/07]

Minister for Education and Science (Deputy Mary Hanafin): The Deputy will be aware that all primary and post primary schools have access to psychological assessments either directly through the National Educational Psychological Service (NEPS) or through the Scheme for Commissioning Psychological Assessments (SCPA). Schools that do not currently have NEPS psychologists assigned to them may avail of the SCPA and have an assessment carried out by a member of the panel of private psychologists approved by NEPS, and NEPS will pay the psychologist the fees for this assessment directly. The prioritisation of urgent cases for assessment is a matter for the school principal in the first instance.

In addition NEPS provides assistance to all schools and school communities that experience critical incidents, regardless of whether or not they have a NEPS psychologist assigned to them. Also, in relation to all schools, NEPS processes applications for Reasonable Accommodation in Certificate Examinations and responds to queries in relation to individual children from other sections of my Department and from the specialist agencies.

I can inform the Deputy that the availability of speech and language therapy is a matter in the first instance for the appropriate arm of the Health Service Executive.

Bullying in Schools.

231. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the extent to which she has been in contact with or received communication from various schools throughout County Kildare or the country in general, in regard to incidents of school bullying; if specific initiatives are contemplated to address this serious issue; and if she will make a statement on the matter. [22123/07]

Minister for Education and Science (Deputy Mary Hanafin): I share the Deputy's concern that any child would feel upset in school because of bullying and I assure him that supports are in place to enable schools both to prevent bullying and to deal with cases that may arise.

For a start, each school is required to have in place a policy which includes specific measures to deal with bullying behaviour, within the framework of an overall school Code of Behaviour and

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Discipline. Such a code, developed through consultation with the whole school community and properly implemented, can be the most influential measure in countering bullying behaviour in schools.

My Department has issued guidelines as an aid to schools in devising measures to prevent and deal with instances of bullying behaviour and to increase awareness among school management authorities of their responsibilities in this regard. These guidelines were drawn up following consultation with representatives of school management, teachers and parents, and are sufficiently flexible to allow each school authority to adapt them to suit the particular needs of their school.

My Department, through the National Centre for Technology in Education has also developed Policy Guidelines and Advisory Notes for schools and parents which deal with the issues of internet and mobile phone bullying.

I wish to draw the Deputy's attention to the "think b4 u click" internet safety campaign. This new campaign seeks to raise awareness and promote safe, responsible practice by young people when online.

The campaign has a strong peer-to-peer perspective and centres on an interactive online service, www.watchyourspace.ie developed by the National Centre Technology in Education (NCTE).

This site offers practical tips and advice and supports teenagers who use the web. A key feature is the advice given from teenagers to teenagers on how to cope with the fall-out from abuses and misuse of social networking and picture -sharing websites.

This new initiative perfectly compliments the other NCTE safety activities that are already up and running successfully such as Webwise, SAFT and the Once projects.

The National Educational Welfare Board (NEWB) is at present developing further guidelines for schools on Codes of Behaviour, as provided for under section 23 of the Education (Welfare) Act 2000. Work on the guidelines is at an advanced stage and has been informed by broad consultation. It is envisaged that these guidelines will be made available to schools in the current school year.

Once the NEWB Guidelines are in place, my Department will commence the process of revising and updating its own "Guidelines on Countering Bullying Behaviour". This review will take into account issues such as legislative developments, the involvement of the support services available to schools, technological advancements such as use of the Internet, e-mail, mobile phones and camera phones and the latest developments in International best practice on dealing with bullying behaviour.

Through the combined work of the Department, the NCTE and the NEWB schools will have available to them extensive guidance to enable them fulfil their responsibilities in relation to this issue.

The Deputy may also be interested to know that dealing with bullying has also been incorporated in training for Principals through the Leadership Development for Schools programme.

I have also stressed to the teacher unions the importance of not just having a written policy on bullying but also ensuring a climate in which it is not tolerated in any form and in which children know that if they make a teacher aware of bullying that it will be dealt with.

The Deputy will also be aware that the education of students in both primary and post-primary schools in relation to anti-bullying behaviour is part of the SPHE curriculum. SPHE is now a compulsory subject both at primary level and in the junior cycle of post-primary schools.

In relation to the Deputy's query about reports to my Department, there is no requirement for schools to report incidents of bullying to my Department, nor do I believe that this should be the case. Responsibility for tackling bullying naturally falls to the level of the individual school as it is at local level that an effective anti-bullying climate must be established. I am, however, anxious to support schools in tackling bullying and it is for that reason that so many supports have been put in place in recent years.

School Absenteeism.

232. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the number of personnel deployed to monitor school truancy; and if she will make a statement on the matter. [22124/07]

Minister for Education and Science (Deputy Mary Hanafin): The Education (Welfare) Act, 2000 established the National Educational Welfare Board (NEWB) as the single national body with responsibility for school attendance. The Act provides a comprehensive framework promoting regular school attendance and tackling the problems of absenteeism and early school leaving. The general functions of the Board are to ensure that each child attends a recognised school or otherwise receives a certain minimum education.

An additional 15 staff have been allocated to the NEWB in 2007. This brings the current authorised staffing of the Board to 109 posts of which 90 are allocated to working directly in the service delivery area. The staffing complement is comprised of 19 HQ and support staff, 5 regional managers, 13 Senior EWO's and 72 EWO's.

It should, however, be remembered that the service provided by the Board is just one aspect

of the comprehensive framework that this Government has put in place to improve school attendance and encourage more young people to finish school. In this regard, extra supports targeted at young people in disadvantaged areas include both educational initiatives such as intensive literacy programmes and the provision of breakfast and homework clubs. In fact, in addition to the NEWB, there are currently in excess of 600 staff within the education sector with a role in school attendance. Home School Community Liaison Coordinators, in working with parents, promote school attendance and its importance for success in school. School attendance is a central objective of School Completion Programme with attendance tracking a core feature and one of its preventative strategies. Access to these services is being increased with the continued roll out of services under DEIS the Action Plan for tackling educational disadvantage.

The Board operates through 5 regional teams, with bases in Dublin, Cork, Limerick, Galway and Waterford. A service is provided from 26 locations nationwide. Staff are deployed in areas of greatest disadvantage and in areas designated under the Government's RAPID programme. In addition, the Board follows up on urgent cases nationally where children are not currently receiving an education. Educational Welfare Officers play a pivotal role in implementing the service provided by the NEWB through monitoring school attendance and working to improve it. The EWOs also help parents that are experiencing a difficulty with getting a school place for their child.

Since January 2004, 20,000 cases involving students with reported school attendance difficulties have been resolved by the Board. The NEWB has also issued an Information Leaflet to every family with children of school going age advising them of their rights and responsibilities in relation to education and school attendance and where they can get help.

The first national data on school attendance has been collected and is being used to inform the Board's work. In relation to the effectiveness of the service, it is encouraging to note research findings that attendance at school in the areas where EWOs are working intensively improved by 4% in 2004/05 compared with the previous year. Attendance data relating to the 2005/06 school year is currently being analysed by the NEWB.

This Government is determined to do all that is possible to ensure that every child gets all the opportunities and support they need to enable them to achieve their potential and participate fully in education. I will be keeping the issue of the NEWB's staffing under review in light of the roll out of services, the scope for integrated working and any proposals that the Board may put to me in relation to clearly identified priority needs.

Education Welfare Service.

233. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the strength of the National Welfare Educational Board with particular reference to the availability of front line staff adequate to meet requirements in all areas throughout County Kildare; the availability of such staff throughout the country; and if she will make a statement on the matter. [22125/07]

Minister for Education and Science (Deputy Mary Hanafin): The National Educational Welfare Board is developing a nationwide service on a continuing basis that is accessible to schools, parents/guardians and others concerned with the welfare of young people. For this purpose, Educational Welfare Officers (EWOs) have been deployed throughout the country to provide a welfare-focused service to support regular school attendance and discharge the Board's functions locally.

I am pleased to advise the Deputy that my Department's Estimates for 2007 includes a provision of €9.808 million for the National Educational Welfare Board. This represents an increase of 20% on the 2006 allocation and of 50% on the 2004 level.

This substantial increase in funding is a clear indication of this Government's commitment to prioritise investment in favour of those most at risk. Through increased investment and improved services we are determined to optimise access, participation and educational outcomes at every level of the system for disadvantaged groups.

An additional 15 staff have been allocated to the NEWB in 2007. This brings the current authorised staffing of the Board to 109 posts of which 90 are allocated to working directly in the service delivery area. The staffing complement is comprised of 19 HQ and support staff, 5 regional managers, 13 Senior EWO's and 72 EWO's.

The Board operates through 5 regional teams, with bases in Dublin, Cork, Limerick, Galway and Waterford. A service is provided from 26 locations nationwide. Staff are deployed in areas of greatest disadvantage and in areas designated under the Government's RAPID programme. In addition, the Board follows up on urgent cases nationally where children are not currently receiving an education. Educational Welfare Officers play a pivotal role in implementing the service provided by the NEWB through monitoring school attendance and working to improve it. The EWOs also help parents that are experiencing a difficulty with getting a school place for their child.

In relation to the Deputy's specific question regarding County Kildare, I am informed that this county has been served for the past two years by an Educational Welfare Officer (EWO). With the increase in population being experienced in the

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county and the large number of schools, County Kildare was prioritised by the NEWB, in the recent increase in staffing allocation, for the appointment of an additional EWO. This will provide two posts for the county. The new post will provide a dedicated service to South Kildare, increasing capacity in that part of the county. The existing position will now serve North Kildare providing capacity there to deliver an increased service to the children experiencing school attendance difficulties in that area.

This Government is determined to do all that is possible to ensure that children get every opportunity and support they need to enable them to achieve their potential and participate fully in education. I will be keeping the issue of the NEWB's staffing under review in light of the roll out of services, the scope for integrated working and any proposals that the Board may put to me in relation to clearly identified priority needs.

Science Education.

234. **Deputy Bernard J. Durkan** asked the Minister for Education and Science if she is satisfied regarding the uptake of third level places in the sciences; if numbers are adequate to meet future requirements; and if she will make a statement on the matter. [22126/07]

Minister for Education and Science (Deputy Mary Hanafin): There are now almost 9,000 students enrolled on science courses in our Universities and Institutes of Technology at level 8 (honours bachelor degree undergraduate level) and a further 1,300 at level 7/6. In the OECD's international indicator of scientific capability, Ireland is second highest of twenty-nine OECD countries in terms of the output of Science higher-education graduates. This international indicator uses a very broad classification of "science" which includes engineering, computing and mathematics as well as the traditional sciences. Ireland performs particularly strongly in terms of the output of science graduates at Higher Certificate and Ordinary Degree level. At the level of undergraduate and postgraduate Honours Degrees, we have the seventh highest output of science graduates.

The number of students enrolled on Science PhD courses increased by 8% from 1,300 in 2000/01 to 1,400 in 2006/07. Similarly increases of around 10% were seen in Masters Degree enrolments in the same time frame. Over 40% of PhD graduates in 2005 were in the Science disciplines.

According to the National Skills Bulletin for 2006, the overall figure employed in science occupations was 24,400. This figure represented 1.25% of total employment in the economy with employment largely in the manufacture of chemi-

cals and chemical products, and in health and social work.

The report concluded that while no "significant current shortages have been identified in science occupations" in part due to foreign technicians entering the Irish jobs market under the work permit scheme, this may not hold true in the future. The bulletin pointed out that as many more graduate opportunities were being created through government investment in scientific research, any future decline in numbers taking science subjects at undergraduate level could lead to shortages of research scientists in the future.

In order to address any possible shortages, my Department is fully committed to strengthening the quality of science teaching and learning, promoting increased scientific literacy and encouraging more students to choose science subjects. Progress in these areas is a vitally important part of our national strategy to support competitiveness and employment.

Significant progress is being made in regard to curricular reform and in-service support for science at both primary and post-primary levels. In addition the Strategy for Science, Technology and Innovation 2006 to 2013 sets out a range of measures to further strengthen science teaching and learning and improve the uptake of senior cycle Physics and Chemistry.

Schools Building Projects.

235. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the position in regard to the new school in replacement for a school (details supplied) in County Kildare; and if she will make a statement on the matter. [22127/07]

Minister for Education and Science (Deputy Mary Hanafin): Co. Kildare Vocational Education Committee as client/contracting authority for the project is currently progressing plans to re-locate the school and extend capacity to 1000 pupils. I understand that the project is at detailed design stage and has recently received Planning Permission.

Question No. 236 answered with Question No. 229.

237. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the position in relation to provision of facilities at a school (details supplied) in County Kildare; and if she will make a statement on the matter. [22129/07]

Minister for Education and Science (Deputy Mary Hanafin): I am pleased to inform the Deputy that the extension to the school in question has been completed and is in use since the beginning of the new school year.

Radon Levels.

238. **Deputy Bernard J. Durkan** asked the Minister for Education and Science if adequate and appropriate action has been taken to address the issue of radon gas in all schools throughout County Kildare to the satisfaction of the school authorities; if further corrective action is required; if RPII has been in touch with her Department in this regard; and if she will make a statement on the matter. [22130/07]

Minister for Education and Science (Deputy Mary Hanafin): My Department commenced a Radon Remediation Programme in 1998 when it commissioned the Radiological Protection Institute of Ireland (RPII) to conduct a survey of radon levels in all primary and post primary schools.

The programme initially involved surveying radon levels in schools and subsequently carrying out mitigation works where appropriate. The programme is 100% funded by my Department and has cost approximately €6m to date.

All schools have been advised of the programme and where excess radon levels are located, funding is provided to schools for the mitigation works. Follow-up monitoring also takes place to ensure that the remediation action has been successful.

The radon reference level set for the workplace under the “Radiological Protection Act, 1991 ((Ionising Radiation) Order, 2000” (Statutory Instrument 125 of 2000)) is 400 Bq/m³. Notwithstanding the fact that the statutory reference level is 400 Bq/m³, my Department provides funding for radon levels exceeding 200 Bq/m³. Radon barriers are included in the design of all new school building projects.

School Accommodation.

239. **Deputy Bernard J. Durkan** asked the Minister for Education and Science the degree to which school places and facilities at primary and school level exist in Clane, County Kildare to meet requirements; the degree to which current or proposed facilities exist to fulfil this need at present and for the foreseeable future; and if she will make a statement on the matter. [22131/07]

Minister for Education and Science (Deputy Mary Hanafin): An application for funding for a major capital project has been received from the school authority of St Patrick’s Boys Primary School. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects. It has been determined that in order to meet the long term needs of the school, the existing primary school requires to be developed into a 24 classroom facility (a three stream school) with appropriate ancillary accommodation. This has been

agreed with the school authority. Progress on the project will be considered in the context of the multi-annual school building and modernisation programme.

In this context, the Department has also contacted St Brigid’s Girls Primary school to review its long-term needs.

While the Department has no application for capital funding at post primary level, it is keeping the situation of capacity under review.

Schools Building Projects.

240. **Deputy Bernard J. Durkan** asked the Minister for Education and Science when she or her Department will review stage three submission in the matter of a school (details supplied) in County Kildare for the provision of extra facilities; her plans to progress this matter in the next six months; and if she will make a statement on the matter. [22132/07]

Minister for Education and Science (Deputy Mary Hanafin): The process of pre-selecting the contractors for the proposed extension has been completed by the school’s Design Team and they hope to be in a position to proceed to tender in the near future.

Question No. 241 answered with Question No. 229.

State Examinations.

242. **Deputy David Stanton** asked the Minister for Education and Science if she will implement the recommendation of the Equality Tribunal in early 2007 in respect of appending footnotes to leaving certificate transcripts of students with disabilities who have been granted an accommodation; and if she will make a statement on the matter. [22143/07]

Minister for Education and Science (Deputy Mary Hanafin): As the Deputy will be aware, this Government has shown an unrivalled commitment to ensuring that children and young people with special needs get the extra support they need in order to reach their full potential at school. We have dramatically expanded investment in special education in recent years and we have improved access to the state examinations for young people with special needs.

Annotations on certificates only apply in situations where a core area of a subject is not assessed, or where the mode of assessment used has the same effect. This is used to ensure fairness and integrity vis a vis other students who have been assessed in these components, and in order not to mislead the end user of the certificate. The scheme was introduced following the report of an Expert Advisory Group, and the introduction enabled opportunities to be provided for exemp-

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tions where a candidate was not in a position to demonstrate achievement in a core area of assessment.

The findings of the Equality Tribunal on the issue have been appealed to the Circuit Court and a judgement is expected shortly.

I have also asked the State Examinations Commission to re-examine policy and practice in this area. It is important that our system continues to evolve in line with best practice, promoting high standards of quality and integrity while ensuring access, participation and benefit for all our students. I do not anticipate that changes will be made to practice in this area in advance of the outcome of the review and the findings in regard to the appeal.

Ministerial Expenses.

243. **Deputy Leo Varadkar** asked the Minister for Defence the amount of money paid in expenses to each Minister of State in his Government Department; the headings under which they were paid for each of the past five years; and if he will make a statement on the matter. [22006/07]

Minister for Defence (Deputy Willie O'Dea):

The amount of money paid directly in expenses to the Minister of State in my Department and the headings under which they were paid for each of the past five years are detailed in the table set out below:

Year	Travel	Subsistence	Total
2002	Nil	Nil	Nil
2003	Nil	Nil	Nil
2004	€139.98	Nil	€139.98
2005	Nil	Nil	Nil
2006	Nil	€114.46	€114.46

Defences Forces Recruitment.

244. **Deputy Pat Rabbitte** asked the Minister for Defence if his attention has been drawn to the fact that vacancies for aeronautical engineers within the Air Corps are open only to officers and that members of the Defence Forces including Air Corps aircraft inspector sergeants and those with appropriate higher and MA degrees are excluded from applying; his views on whether this is in conflict with his stated declaration of commissioning suitable qualified non-commissioned personnel in all areas of the Defences Forces; if he will change this practice in order to recruit for such vacancies from qualified enlisted personnel in the first instance; when he plans to do this; and if he will make a statement on the matter. [22017/07]

Minister for Defence (Deputy Willie O'Dea):

The position is that enlisted personnel of the Defence Forces who hold the appropriate qualifications are eligible to apply for appointment as Aeronautical Engineer Officers through open competition.

The military authorities have advised me that there are three vacancies for Aeronautical Engineer Officers in the Air Corps. As has been normal practice, qualified officers in the Permanent Defence Force were canvassed and two officers expressed an interest in transferring into this area. The military authorities are currently processing these applications with a view to filling one of the vacancies. A Direct Entry Competition was advertised in the national press on 8 April 2007 from which the remaining two of these vacancies will be filled. The professional qualifications outlined in the governing conditions for this competition were the same as those which applied to the last Direct Entry Competition held, in 2001, to fill vacancies for Aeronautical Officers. The competition was open to all who meet the qualifying criteria, and this included civilians and enlisted personnel of all ranks.

Seven serving enlisted personnel in the Defence Forces and thirty-seven civilians applied for the two posts on offer. Two of the enlisted personnel were successful in the competition and will be commissioned in the near future.

I have in recent times made substantial changes in recruitment policy to promote recruitment from the ranks. For the cadetship competition, which is now the primary means of commissioning from the ranks, I have increased the maximum entry age to 28 and now award bonus marks to candidates with previous experience in the Permanent Defence Force (PDF) or Reserve Defence Force (RDF).

Results for the 2006 and 2007 cadetship competitions were encouraging with a total of 23 applicants with military service in the Defence Forces being successful in the 2006 cadetship competition and a further 18 applicants with military service being successful in the 2007 cadetship competition.

In addition, in the past two years, 3 members of the Defence Forces were commissioned as officers from Direct Entry Competitions for appointments as Engineer Officers in the Corps of Engineers and Conductors in the Army School of Music.

Following consultations with the representative associations, an internal Commissioning From the Ranks competition was held in June 2007. This competition provided an opportunity for enlisted personnel who have passed the cadet entry age to compete for entry on a potential Officers Course and ultimately, a commission. The competition offered the possibility of enhancing the Officer

Corps with the skills and expertise of these personnel.

A total of 24 successful applicants, selected from the ranks of Junior and Senior Non-Commissioned Officers are in training in the Cadet School in the Curragh since 30 July 2007. On successfully completing the course these enlisted personnel will be commissioned as officers of the Permanent Defence Force next summer.

The Policy on the running of similar future competitions, to provide Non-Commissioned Officers with the opportunity of obtaining commissioned rank, will be formalised under the Defence Force Modernisation Agenda. I have also asked the Chief of Staff for his views on the prospect of facilitating suitably qualified enlisted personnel to compete internally for technical/professional posts in the officer ranks.

Pension Provisions.

245. **Deputy Jimmy Deenihan** asked the Minister for Defence the rates of Defence Forces pensions as they apply to a Class A PRSI contributions; and if he will make a statement on the matter. [22095/07]

Minister for Defence (Deputy Willie O'Dea): New rates are in the process of being finalized and I will forward the relevant rates to the Deputy shortly.

International Agreements.

246. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the countries in the Schengen travel zone; the countries that have applied to join; when they will join; if there is a database of personal and confidential information on the citizens of non Schengen States shared only by the Schengen member states; and if he will make a statement on the matter. [22140/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Schengen Convention, is an agreement among some European states which allows for the abolition of systematic border controls between the participating countries. It also includes provisions on common policy on the temporary entry of persons (including the Schengen Visa), the harmonisation of external border controls, and cross-border police and judicial co-operation.

A total of 30 states — including most European Union states and three non-EU states, Iceland, Norway, and Switzerland — have signed the agreement and 15 have implemented it so far. Ireland and the United Kingdom have applied only to take part in the police and criminal judicial co-operation measures and not the common border control and visa provisions. Border

posts and checks have been removed between Schengen area states and a common 'Schengen visa' allows tourist or visitor access to the area.

The fifteen states that have already implemented the agreement are Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain and Sweden. The Eastern and Central-European states, except for Cyprus, who signed the Schengen Agreement in May, 2004 are set to implement it on 31 December 2007 for land and sea borders and March 2008 for air borders although those dates are still subject to change. These countries are the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia. Bulgaria and Romania aim to implement the agreement in 2011 and Switzerland aims to implement the agreement in November, 2008.

The Schengen Information System is a database accessible by competent authorities in countries that participate in the Schengen Convention and is only accessible to the extent of their participation. The most significant information held on the database pertains to details of wanted persons and misappropriated, lost or stolen objects and is not available to states that are not participating in the Convention. At EU level, plans are currently underway to extend the system to the relevant Eastern European states thus allowing free movement from these to other Schengen Member states. A new (second) generation of the system is also being developed and Ireland, along with the UK and Cyprus is scheduled to participate in this system following its development in 2009.

Asylum Applications.

247. **Deputy Brendan Howlin** asked the Minister for Justice, Equality and Law Reform the status of an application to remain in Ireland on humanitarian grounds for a person (details supplied); and if he will make a statement on the matter. [21973/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I refer the Deputy to Parliamentary Question No. 354 of Tuesday, 29 June, 2004 and the written reply to that question. The case of the person concerned is under consideration and the file will be referred to me for decision shortly.

Ministerial Expenses.

248. **Deputy Leo Varadkar** asked the Minister for Justice, Equality and Law Reform the amount of money paid in expenses to each Minister of State in his Government Department; the headings under which they were paid for each of the

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past five years; and if he will make a statement on the matter. [22013/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Details of expenses paid

	Home Travel and Subsistence	Foreign Travel and Subsistence	Official Entertainment	Expenses Allowance	Telephone/IT/Medical
	€	€	€	€	€
Minister of State Mr Willie O'Dea T.D.					
2003	24,142	537	Nil	12,128	Nil
2004	27,828	1,004	Nil	9,796	Nil
Minister of State Mr Frank Fahey T.D.					
2005	31,321	2,141	1,175	14,927	55
2006	33,979	2,315	2,153	12,128	484
2007	19,141	2,576	214	5,598	802
Minister of State Mr Sean Power T.D.					
2007	Nil	Nil	Nil	3,265	Nil

Residency Permits.

249. **Deputy Martin Ferris** asked the Minister for Justice, Equality and Law Reform if the application for residency by a person (details supplied) has been successful. [22018/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The position is that an application was received from the person concerned on 23 February 2007 for Subsidiary Protection under the European Communities (Eligibility for Protection) Regulations, 2006 (Statutory Instrument No. 518 of 2006).

His application was refused by my Department on 22 March 2007.

The applicant instituted Judicial Review proceedings on 10 May 2007 challenging the Subsidiary Protection refusal and accordingly, as the matter is sub judice, I do not propose to comment further.

Garda Training.

250. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if more training is being provided or will be provided for Gardaí in relation to the requirements and implications of the Mental Health Act 2001 in the performance of their duties. [22058/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda authorities that details of training provided regarding the Mental Health Act 2001 are as follows:

to the Ministers of State in my Department and the headings under which they were paid for each of the past five years 2003 to date are set out in the table below.

Continuous Professional Development:

A module on Mental Health Awareness is currently being delivered as part of the Continuous Professional Development (CPD.) Core Programme 2007. This module includes information from the Mental Health Commission on the relevant legislation. A previous module on Mental Health was also included in the Continuous Professional Development (C.P.D.) Core programme 2005. The Core Programme is provided to all Gardaí and Sergeants.

Student/Probationer Training:

The Social and Psychological Studies programme provides the following training to Student/Probationer Gardaí in relation to Mental Health Awareness and the Mental Health Act, 2001. All of this training takes place on Phase III training in the Garda College.

- Schizophrenia Ireland, as guest speakers on the Social & Psychological programme, provides training in relation to self experience and communication techniques for dealing with people suffering mental illness.
- Social and Psychological Studies' staff provide lectures on Mental Health Awareness, section 12 and 13 of the Mental Health Act 2001, Depression, Suicide and Schizophrenia, appropriate communication and intervention.
- Social and Psychological Studies' staff provide training through the developmen-

tal work and role-play scenarios which depict practical incidents that Gardaí may encounter relating to mental illness in the community. This role-play type training develops their skills and competencies in dealing with and intervening in such incidents. Phase III students are assessed on these role-plays. This training is complementary to and presented in conjunction with training provided on the subject areas of Legal Studies, Garda Practice & Procedures and Contextual Policing.

- Social and Psychological Studies' staff liaise regularly with The Mental Health Commission in relation to training and new developments.

Under Legal, Contextual Policing and Garda Practices and Procedure Studies, student Gardaí receive tuition in relation to their duties under the Mental Health Act 2001. They also receive instruction in the Treatment of Persons in Custody in Garda Stations Regulations, 1987, where Regulation 22 deals solely with mentally handicapped persons.

On Scene Command/Garda Negotiator:

A module on Mental Health is included in both the Garda Negotiator and On Scene Command Course. This module is presented by Dr Harry Kennedy and his colleagues from the Central Mental Hospital, Dundrum.

Training and Continuous Professional Development in all modules are continually monitored and reviewed ensuring the necessary training is received by all members.

Weapons Licensing.

251. **Deputy Tony Gregory** asked the Minister for Justice, Equality and Law Reform further to Parliamentary Question No. 1016 of 26 September 2007, if he will ask the Garda Commissioner to detail the expert opinion available to him that reloaded ammunition is not traceable. [22097/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda Commissioner that his Ballistic experts advise that reloaded ammunition, which utilises previously discharged cartridge cases a number of times, makes ballistic comparisons more difficult. As the Deputy will appreciate, each time the cartridge is discharged, markings are left on it thereby rendering the tracing of the firearm from which it was discharged extremely difficult.

Garda Complaints Procedures.

252. **Deputy Michael Ring** asked the Minister for Justice, Equality and Law Reform when his Department will reimburse a person (details

supplied) in Dublin 7 following an incident in March 2007. [22100/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Claims against members of the Garda Síochána in circumstances such as those described by the Deputy are dealt with by the State Claims Agency and a file on the incident has already been forwarded to them. However I am informed by the Garda Authorities that no claim has been made to date by the person to whom the Deputy refers.

Prison Visiting Committees.

253. **Deputy Jim O'Keeffe** asked the Minister for Justice, Equality and Law Reform the name of the present chairperson of the prison visiting committee at Limerick Prison; the qualifications they have for the position; the number of visits he has made to the prison; the number of meetings of the prison visiting committee which they have chaired in the past six months; and if he will make a statement on the matter. [22108/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): A Visiting Committee is appointed to each prison under the Prisons (Visiting Committees) Act, 1925 and Prisons (Visiting Committees) Order, 1925. The function of Visiting Committees is to visit at frequent intervals the prison to which they are appointed and hear any complaints which may be made to them by any prisoner. They report to me any abuses observed or found by them in the prison and any repairs which they think may be urgently needed. The Visiting Committee have free access either collectively or individually to every part of their prison.

Members of Committees are appointed by the Minister for Justice, Equality and Law Reform for a term not exceeding three years. At that point they are automatically removed from the Committee and are either re-appointed for a further term or are replaced by new members. There are no specific criteria used in selecting individuals for appointment. The composition of each committee is drawn from as wide a spectrum as possible to ensure that the needs of prisoners are understood and met. This is the long standing practice used by successive Ministers in appointing members to the Prisons Visiting Committees.

Each Committee elects their own Chairperson and neither myself nor my Department plays any role in this selection process. I have been advised that the current Chairperson to Limerick Prison Visiting Committee is Mr Tony Lane. Since being appointed Chairperson in November, 2005, Mr Lane has made a total of twenty eight visits to Limerick Prison to date. I am further

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informed that he has chaired a total of five Visiting Committee meetings in the past six months.

National Drugs Strategy.

254. **Deputy John O'Mahony** asked the Minister for Justice, Equality and Law Reform the steps he will take following the recent drug finds around the Irish coastlines, to prevent Ireland being used as an access point for the smuggling of drugs into Ireland via the coastline; and if he will make a statement on the matter. [22150/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The recent drugs finds are a stark reminder of the difficulties faced by all of the agencies involved in trying to prevent drugs being imported into Ireland. We should not underestimate the difficulties posed by the nature and extent of a 3,000 mile coastline.

Under the National Drugs Strategy it is the Customs Service which has primary responsibility for the prevention, detection, interception and seizure of controlled drugs at importation. But, of course, the Strategy recognises the vital importance of cooperation between the members of the Joint Drugs Task Force of the Customs Service, An Garda Síochána, and the Naval Service.

While a certain amount may be achieved by random patrols of our coastline, the priority must be intelligence-based targeted activities by all the agencies involved. In terms of intelligence gathering and sharing of information, I can assure the Deputy that the agencies mentioned above are cooperating fully not only among themselves but with their counterparts in organisations such as Europol, the World Customs Organisation, the United Nations Drug Control Programme and the U.K. Serious and Organised Crime Agency. On the part of An Garda Síochána, for example, Garda liaison officers are based at London, Paris, the Hague, Madrid and Europol.

I am informed that the work of Customs in monitoring our coastline is based on risk analysis and intelligence-led enforcement. Mobile anti-smuggling teams operate from key strategic locations. These officers are engaged in intelligence gathering and in operational interventions. This type of enforcement strategy is in keeping with best international practice. The Customs Drugswatch programme is also in place to encourage the coastal and maritime communities to assist in confidentially reporting suspicious activity and a dedicated Freephone is in operation on a 24/7 basis.

In order to enhance the State's capability to protect the community from drug trafficking by sea, the Revenue Commissioners deployed the Revenue Customs Cutter, *Suirbhéir*, in 2004.

The Commissioners constantly monitor the adequacy of the controls that are in place in response to emerging trends and risks as identified both nationally and internationally. Co-operation with other Customs Services and law enforcement agencies abroad is also an important aspect of this work and such co-operation and intelligence exchange is well established and effective.

Last Sunday in Lisbon, I attended the opening ceremony of the new Maritime Analysis and Operational Centre (narcotics) which is our latest law enforcement tool in the fight against drug trafficking. The Centre is intended to focus on targeting the sea and air cocaine routes from Central and South America into the European Union via western Africa. It will collect and analyse operational information, enhance intelligence through better information exchange, and ascertain the availability of assets to facilitate interdictions in accordance with the national laws of the participants involved. The U.K., Spain, Portugal, Italy, Ireland, France and the Netherlands are signatories to the International Agreement establishing the Centre.

The Centre will be inter-agency and will be focused on interdicting large maritime and aviation drug shipments. The centre will maximise operational effectiveness through the pooling of resources and the coordination of intelligence. In the coming weeks arrangements are being finalised for the placement of a customs liaison officer and a garda drugs liaison officer at the centre. The Naval Service will deploy an officer there as the need arises.

Turbary Rights.

255. **Deputy Frank Feighan** asked the Minister for the Environment, Heritage and Local Government the position in relation to bogs in special area of conservation in County Roscommon; if farmers will be allowed to cut turf for domestic use on such bogs for the foreseeable future, particularly, in relation to Cloonkeen Bog in Castlerea, County Roscommon; if farmers will be compensated for their bogs when they are no longer able to cut turf; the rate in relation to same; and if he will make a statement on the matter. [22078/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Cutting turf on designated Special Areas of Conservation (SACs) is strictly limited in order to protect this internationally important type of habitat. A derogation was agreed in 1999 for turf cutting, for domestic use only, on less sensitive areas of bogs designated as SACs for a period of up to ten years — that is, until the end of 2008.

The area known as Cloonkeen Eighter is part of the Derrynagran Bog and Esker Natural Heritage Area (NHA 001255). Landowners on NHAs are also permitted to continue cutting turf for domestic use only for a derogation period of up to 10 years from 2004, that is to 2014 at the latest, as long as the cutting is not adversely affecting the conservation status of the bog.

A generous compensation package is available from my Department for anybody who agrees to end turf cutting on designated bogs. My Department will purchase freehold on designated raised bogs at €3,500 for the first acre or part thereof and €3,000 for each subsequent acre. Alternatively, the Department will purchase turbary rights on designated bogs at €2,975 for the first acre or part thereof and €2,550 for each subsequent acre.

Water and Sewerage Schemes.

256. **Deputy Ulick Burke** asked the Minister for the Environment, Heritage and Local Government the names of the various schemes that require funding for water and waste water capital projects in County Galway that have been submitted to his Department for funds; the amount of funding in each case; the proposed starting date of these projects; the projects in progress; and funding allocated for their completion. [21960/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The most complete and up to date statement of Galway County Council's water services infrastructural requirements is set out in the Assessment of Needs produced by the Council in response to my Department's request to all local authorities in 2006 to carry out fresh assessments of the need for capital works in their areas and to prioritise their proposals on the basis of the assessments. I am arranging to forward a copy of the assessment to the Deputy. The assessment was taken into account in drawing up the Water Services Investment Programme 2007 — 2009, which I published in September 2007 and which is available in the Oireachtas Library.

Social and Affordable Housing.

257. **Deputy Ulick Burke** asked the Minister for the Environment, Heritage and Local Government his views on a review of the affordable housing scheme income limits in view of the fact that many applicants are no longer qualifying for inclusion as their income is no longer adequate under the conditions of the present scheme and many applicants have to return to the social housing lists; and if he will make a statement on the matter. [21961/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): Applicants for affordable housing under Part V of the Planning and Development Acts 2000 to 2006 or the Affordable Housing Initiative satisfy the income eligibility requirement if the mortgage repayments for suitable accommodation available in the market would exceed 35% of their net income. There are no plans to change this approach, which provides a mechanism for taking into account up to date net incomes, house prices and mortgage servicing costs in determining an applicant's eligibility.

In the case of the Shared Ownership and the 1999 Affordable Housing Schemes, the annual income limit for a single income household is €40,000, while the annual limit for a two income household is €100,000, using the formula of $2\frac{1}{2}$ times the main income plus once the secondary income. These income limits are under review and I hope to be in a position to announce the outcome of that review shortly.

There is no minimum income qualifying requirement set under any of the affordable housing schemes. However, in approving an affordable home purchase, a local authority must consider the ability of the applicant to make the necessary mortgage payments and satisfy itself that the borrower's income is sufficient to meet the financial commitments involved.

Local Authority Staff.

258. **Deputy Ulick Burke** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the shortage of staff at various levels in many local authorities which is being exacerbated by the current embargo in place, particularly in planning divisions of county councils and in housing, engineering, water and sewerage schemes causing delays in progress in providing these services; and if he will make a statement on the matter. [21962/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply to Questions Nos. 512 and 513 of 2 October, 2007.

Ministerial Expenses.

259. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government the amount of money paid in expenses to each Minister of State in his Government Department; the headings under which they were paid for each of the past five years; and if he will make a statement on the matter. [22009/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The

information requested is set out in the following table:

Minister of State Noel Ahern TD

	2003	2004	2005	2006	2007
	€	€	€	€	€
Ministerial Monthly Allowance	12,170	12,170	12,170	12,170	5,071
Travel & Subsistence	15,931	12,905	18,894	19,710	20,390
Misc. Expenses	871				

Minister of State Pat ‘The Cope’ Gallagher TD

	2003	2004	2005	2006	2007
	€	€	€	€	€
Ministerial Monthly Allowance	12,170	9,128			
Travel & Subsistence	53,483	35,477			
Taxi's	536	220			
Misc. Expenses		325			
Official Entertainment	470	676			

Minister of State Tony Killeen TD

	2003	2004	2005	2006	2007
	€	€	€	€	€
Travel & Subsistence					8,738

Minister of State Batt O’Keeffe TD

	2003	2004	2005	2006	2007
	€	€	€	€	€
Ministerial Monthly Allowance		2,028	13,185	11,156	6,085
Travel & Subsistence		10,971	48,723	62,638	32,240
Taxi's		130	140	45	168
Misc. Expenses		121	299		
Official Entertainment		317			46

Building Regulations.

260. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the problems currently being experienced by hundreds of householders in the State in relation to the mineral pyrite being found in their homes; the structural damage that this can cause to buildings; and if he will make a statement on the matter. [22024/07]

261. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if he plans to introduce regulations requiring all infill material to be chemi-

cally analysed before being used in the construction of houses; and if he will make a statement on the matter. [22025/07]

262. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if he plans to conduct a full and comprehensive investigation into the use of pyrite by building developers in constructing homes; and if he will make a statement on the matter. [22026/07]

263. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the structural damage that can be caused by pyrite used in the construction of

buildings; if he plans to conduct a full investigation in order to ascertain the location of homes or buildings in which pyrite may have been used in their construction; and if he will make a statement on the matter. [22027/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 260 to 263, inclusive, together.

I refer to the reply to Questions Nos. 1150, 1151, 1153, 1155 and 1167 of 26 September 2007, in which I comprehensively addressed this issue.

264. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government the details of any initiative he may undertake in order to ensure that building regulations are fully complied with by those involved in the construction industry; and if he will make a statement on the matter. [22028/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Building Control Act 1990 assigns primary responsibility for complying with the Building Regulations to the owners and builders of buildings. Responsibility for enforcement of the Regulations is vested in the 37 local Building Control Authorities, who are empowered to carry out inspections of buildings and initiate enforcement action, where appropriate.

The Building Control Act 2007 contains provision, *inter alia*, to strengthen the enforcement powers of local Building Control Authorities. The Act introduces the option for local Building Control Authorities to bring summary prosecutions for all building code offences in the District Court, rather than by way of prosecution on indictment by the Director of Public Prosecutions in the Circuit Court. Authorities will also have wider powers to make application to the High Court or the Circuit Court to secure Orders where buildings do not comply with the requirements of the Building Regulations. The maximum penalties for breaches of the Regulations have been substantially increased under the Act, from £800 (punts) to €5,000 on summary conviction; from £150 (punts) to €500 in respect of each day on which the offence is committed after summary conviction; and from £10,000 (punts) to €50,000 on conviction on indictment.

Moreover, Building Control Authorities will be able to recoup costs incurred in taking enforcement action and to obtain the benefit of fines resulting from summary prosecutions brought by them.

I will be making the necessary Commencement Order for the above provisions of the Building Control Act 2007 this month.

Environmental Policy.

265. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government if the State, in procuring vehicles for the public service and for the Ministerial fleet in particular, should lead by example and purchase vehicles which generate less harmful emissions than other vehicles; if in this regard a bias should be shown towards cars that embrace bio fuel or hybrid technology in these procurement decisions rather than cars that are fuelled by petrol or diesel; and if he will make a statement on the matter. [22065/07]

266. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government if in the selection of official cars, he considers vehicles that are powered by diesel or petrol to be less sustainable vehicles from an environmental perspective than vehicles powered by biofuels or hybrid technology; and if he will make a statement on the matter. [22066/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 265 and 266 together.

It is generally accepted that vehicles powered by biofuels and hybrid technology can have significantly reduced emissions compared to equivalent conventional models.

The Department of Justice, Equality and Law Reform, which organises the purchase of the Ministerial fleet through the Government Supplies Agency, has purchased 7 hybrid cars for the Ministerial fleet, one of which has been assigned to me. In order to ensure that the most suitable vehicles are purchased, the requirements for the Ministerial fleet are subject to regular review and assessment, having regard to a range of criteria including overall cost, safety, emissions, fuel efficiency and the function of the vehicles.

As regards vehicles purchased by my own Department, the entire fleet of the National Parks and Wildlife Service, numbering some 150 vehicles, is capable of running on biodiesel.

More generally and in accordance with the National Climate Change Strategy, the Government is developing a Sustainable Transport Action Plan under which public sector fleet operators will be required to publish strategies to reduce emissions from their fleets including the increased use of biofuels. Dublin Bus and Bus Eireann have already been instructed by the Minister for Transport to move all their existing fleet to a 5% bio-fuel blend and to plan to achieve a 30% bio-fuel blend in all their new buses.

Ministerial Expenses.

267. **Deputy Leo Varadkar** asked the Minister

[Deputy Leo Varadkar.]

for Communications, Energy and Natural Resources the amount of money paid in expenses to each Minister of State in his Government Department; the headings under which they were paid for each of the past five years; and if he will make a statement on the matter. [22004/7]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The information requested by the Deputy is being compiled by my Department and will be furnished to the Deputy within the next week.